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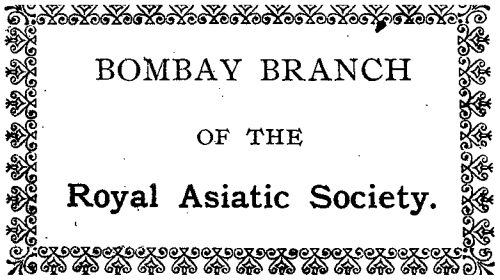

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EAST INDIA

(EXECUTIVE AND LEGISLATIVE COUNCILS).

REGULATIONS, &c.

FOR

GIVING EFFECT TO THE INDIAN COUNCILS ACT, 1909.

(9TH EDWARD VII., CAP. 4.)

Presented to both Houses of Parliament by Command of His Majesty.

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† NOTE.—The book is divided into twelve parts, each of which is separately paged.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

No. 4212.

Calcutta, the 15th November 1909.

In exercise of the power conferred by section 8, sub-section (2), of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, appointed the fifteenth day of November 1909 as the date on which the provisions of the said Act shall come into operation for all purposes and for all Councils in British India.

H. A. STUART,
Secretary to the Government of India.

No. II.—Legislative Council of the Governor-General of India.

(*Vide also* **No. X.**)

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

The 15th November 1909.

No. 14.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor General of India:

REGULATIONS FOR THE NOMINATION AND ELECTION OF ADDITIONAL MEMBERS OF THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

I. The Additional Members of the Legislative Council of the Governor General shall ordinarily be sixty in number and shall consist of— Number of Members.

A.—Members elected by the classes specified in Regulation II, who shall not be less than twenty-five in number; and

B.—Members nominated by the Governor General, who shall not exceed thirty-five in number, and of whom—

(*a*) not more than twenty-eight may be officials, and

(*b*) three shall be non-official persons to be selected—

(i) one from the Indian commercial community,

(ii) one from the Muhammadan community in the Punjab, and

(iii) one from the landholders in the Punjab:

Provided that it shall not be lawful for the Governor General to nominate so many non-official persons under these Regulations that the majority of all the Members of the Council shall be non-officials.

II. The twenty-five elected Members specified in Regulation I shall be elected as follows, namely:— Elected Members.

(i) By the non-official Additional Members of the Council of the Governor of Fort St. George	2 Members.
(ii) By the non-official Additional Members of the Council of the Governor of Bombay	2 Members.
(iii) By the non-official Members of the Council of the Lieutenant-Governor of Bengal	2 Members.
(iv) By the non-official Members of the Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh	2 Members.
(v) By the non-official Members of the Council of the Lieutenant-Governor of the Punjab	1 Member.
(vi) By the non-official Members of the Council of the Lieutenant-Governor of Eastern Bengal and Assam	1 Member.
(vii) By the non-official Members of the Council of the Lieutenant-Governor of Burma	1 Member.
(viii) By the District Councils and Municipal Committees in the Central Provinces	1 Member.
(ix) By Landholders in the Presidency of Fort St. George	1 Member.
(x) By Landholders in the Presidency of Bombay	1 Member.
(xi) By Landholders in Bengal	1 Member.
(xii) By Landholders in the United Provinces of Agra and Oudh	1 Member.
(xiii) By Landholders in Eastern Bengal and Assam	1 Member.
(xiv) By Landholders in the Central Provinces	1 Member.
(xv) By the Muhammadan community in the Presidency of Fort St. George	1 Member.
(xvi) By the Muhammadan community in the Presidency of Bombay	1 Member.
(xvii) By the Muhammadan community in Bengal	1 Member.

(xviii) By the Muhammadan community in the United Provinces of Agra and Oudh	1 Member.
(xix) By the Muhammadan community in Eastern Bengal and Assam	1 Member.
(xx) By the Bengal Chamber of Commerce	1 Member.
(xxi) By the Bombay Chamber of Commerce	1 Member.

Provided that in the case of the second, fourth and succeeding alternate elections by the classes specified in sub-heads (xii) and (xiii), a second Member shall be elected by the Muhammadan members of each of the said classes.

Explanation.—The expression "alternate elections" shall not be deemed to include elections to fill casual vacancies.

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject, or

(*b*) is a female, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind, or

(*d*) is under twenty-five years of age, or

(*e*) is an uncertificated bankrupt or an undischarged insolvent, or

(*f*) has been dismissed from the Government service, or

(*g*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(*h*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*i*) has been declared by the Governor General in Council to be of such reputation and antecedents that his election would, in the opinion of the Governor General in Council, be contrary to the public interest:

Provided that in cases (*f*), (*g*), (*h*) and (*i*) the disqualification may be removed by an order of the Governor General in Council in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(*a*) is a female, or

(*b*) is a minor, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely:—

I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ an Additional Member of the Legislative Council of the Governor General, do solemnly swear (*or* affirm) that I will be faithful and bear true allegiance to His

Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person,—

(*a*) not being eligible for election, is elected under these Regulations, or,

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*c*), (*e*), (*f*), (*g*) or (*h*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Governor General in Council considers reasonable,

the Governor General shall, by notification in the Gazette of India, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Governor General shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification, or shall nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Governor General may nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Secretary to the Government of India in the Legislative Department, within seven days from the date of the publication of the result of such elections in the Gazette of India, choose, or in his default the Governor General shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who, except for the said votes, would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

Term of office.

X. (1) Save as provided in clause (2) and subject to the provisions of Regulation XVIII, the term of office of an Additional Member shall be three years from the date of his election or nomination, as the case may be:

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Governor General may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II, or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Governor General shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Governor General may nominate any person to the vacancy:

Provided that when a casual vacancy occurs—

(*a*) in the case of an elected Member, the election shall always be made by the same electorate as that which elected the Member whose place is to be filled and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member, and

(*b*) in the case of a Member nominated as representing any class specified in Regulation I, sub-head B, clause (*b*), the person nominated shall be selected from the same class.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Governor General may nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Governor General shall be exercised only at meetings at which—

(*a*) the Governor General, or
(*b*) the President nominated by the Governor General in Council under section 6 of the Indian Councils Act, 1861, or
(*c*) the Vice-President appointed by the Governor General under section 4 of the Indian Councils Act, 1909, or,
(*d*) in the case of the discussions referred to in section 5 of the Indian Councils Act, 1909, a Member appointed to preside in pursuance of a rule made under that section,

and fifteen or more Members of the Council, of whom eight at least shall be Additional Members, are present.

Corrupt practices.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate, if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A " promise of individual profit " includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the Gazette of India, apply to the Governor General in Council to set aside such election.

(2) The Governor General in Council shall, after such enquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Governor General shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Governor General may nominate any person who is eligible for election by such electorate.

XVII. The decision of the Governor General in Council on any question that may arise as to the intention, construction or application of these Regulations shall be final.

Finality of decisions.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

First elections.

(2) For this purpose the Governor General shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to proceed to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Governor General may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE 1.

[*See Regulation II, sub-heads (i), (ii), (iii) and (iv), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE NON-OFFICIAL MEMBERS OF THE LEGISLATIVE COUNCILS OF THE GOVERNORS OF FORT ST. GEORGE AND BOMBAY AND OF THE LIEUTENANT-GOVERNORS OF BENGAL AND THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electors.

2. (1) The Member or Members specified in Regulation II, sub-heads (i), (ii), (iii) and (iv), shall be elected by the votes of the non-official Members of the Councils of the Governors of Fort St. George and Bombay and of the Lieutenant-Governors of Bengal and the United Provinces of Agra and Oudh, respectively.

(2) Every such Member shall have one or two votes according as one or two candidates are to be elected.

(3) In the case of the election of two candidates the Member may record both his votes in favour of one candidate.

3. On such date and at such time and place as may be appointed by the Local Government in this behalf, the non-official Members of each of the said Councils shall meet for the purpose of electing the Member or Members whom they are called upon to elect.

4. (1) At such meeting the Returning Officer shall attend, and after explaining the rules shall deliver to each Member present a voting paper in Form I annexed to this Schedule and shall thereafter withdraw.

(2) The Members present shall then proceed to elect from among themselves a chairman, who shall in the first instance state the number of candidates to be elected and call upon the Members to nominate candidates.

Qualifications of candidates.

5. (1) Any person not ineligible for election under these Regulations and having a place of residence within the Province concerned and such practical connection with that Province as qualifies him to represent it may be nominated as a candidate.

(2) Such nomination may be made by any two Members as proposer and seconder, and the names of all candidates so nominated and their respective proposers and seconders shall thereupon be entered by the chairman in a list which shall be read out and signed by him.

Voting.

6. (1) If the number of candidates duly nominated does not exceed the number of candidates to be elected, the candidate or candidates so nominated shall be declared to be elected, and the chairman shall forthwith inform the Returning Officer of the name and address of such candidate or candidates.

(2) If the number of candidates duly nominated exceeds the number of candidates to be elected, the Members present, including the chairman, shall record their votes on the voting papers in accordance with the instructions thereon.

(3) Neglect on the part of the Member to comply with any of these instructions shall render the vote invalid.

7. The chairman shall then inform the Returning Officer, who shall thereupon return to the meeting, and the chairman shall make over to him the list of candidates nominated.

Counting of votes and declaration of result.

8. (1) The Returning Officer shall then collect the voting papers from the Members present and shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject and mark "discarded" against any vote which he may discard on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

9. (1) The Returning Officer shall thereupon count the votes in the presence of the Members.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers, sealed as provided by rule 8, to the candidates or their representatives.

(4) If an objection is made to any voting paper or vote on the ground that it does not comply with the instructions on the voting paper, or to the rejection or discarding by the Returning Officer of any voting paper or vote, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

10. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

11. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

12. The Returning Officer shall without delay report the result of the election to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the names of the candidate or candidates elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

13. The Local Government shall appoint such date, time and place as it may think suitable for the meeting of Members under rule 3, and shall notify the same in such manner as it thinks fit.

FORM I.

(See rule 4.)

VOTING PAPER.

Additional Member (s) $\frac{\text{is}}{\text{are}}$ to be elected to the Legislative Council of the Governor General

by the non-official Members of the Legislative Council of the $\frac{\text{Governor of Fort St. George.}}{\text{Governor of Bombay.}}$ / $\frac{\text{Lieutenant-Govr. of Bengal.}}{\text{Lieut.-Govr. of the U. P. of A. and O.}}$

Serial No.	Names of candidates.	Votes.

Instructions.

1. Each Member shall enter the name or names of the candidate or candidates to whom he desires to give his vote or votes.

2. Each Member has as many votes as there are Members to be elected.

3. If two Members are to be elected, a Member may give both his votes to one candidate.

4. He shall vote by placing the mark ×, or the marks × ×, as the case may b opposite the name of the candidate or candidates to whom he desires to give his vote or votes.

5. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of Members to be elected.

6. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

7. After voting the Member shall sign the paper at the place indicated on the back, fold it, and deliver it to the Returning Officer. Voting papers not so signed shall be invalid.

Signature of Member.

SCHEDULE II.

[*See Regulation II, sub-heads (v), (vi) and (vii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE NON-OFFICIAL MEMBERS OF THE LEGISLATIVE COUNCILS OF THE LIEUTENANT-GOVERNORS OF THE PUNJAB, EASTERN BENGAL AND ASSAM, AND BURMA.

Preliminary.

1. "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electors.

2. (1) The Members specified in Regulation II, sub-heads (v), (vi) and (vii), shall be elected by the votes of the non-official Members of the Councils of the Lieutenant-Governors of the Punjab, Eastern Bengal and Assam, and Burma, respectively.

(2) Every such Member shall have one vote.

3. On such date and at such time and place as may be appointed by the Local Government in this behalf, the non-official Members of each of the said Councils shall meet for the purpose of electing the Member whom they are called upon to elect.

4. (1) At such meeting the Returning Officer shall attend, and after explaining the rules shall deliver to each Member present a voting paper in Form I annexed to this Schedule and shall thereafter withdraw.

(2) The Members present shall then proceed to elect from among themselves a chairman, who shall in the first instance call upon the Members to nominate candidates.

Qualifications of candidates.

5. (1) Any person not ineligible for election under these Regulations and having a place of residence within the Province concerned and such practical connection with that Province as qualifies him to represent it may be nominated as a candidate.

(2) Such nomination may be made by any two Members as proposer and seconder, and the names of all candidates so nominated and their respective proposers and seconders shall thereupon be entered by the chairman in a list which shall be read out and signed by him.

Voting.

6. (1) If one candidate only is duly nominated, the candidate so nominated shall be declared to be elected, and the chairman shall forthwith inform the Returning Officer of the name and address of such candidate.

(2) If more candidates than one are duly nominated, the Members present, including the chairman, shall record their votes on the voting papers in accordance with the instructions thereon.

(3) Neglect on the part of the Member to comply with any of these instructions shall render the vote invalid.

7. The chairman shall then inform the Returning Officer, who shall thereupon return to the meeting, and the chairman shall make over to him the list of candidates nominated.

Counting of votes and declaration of result.

8. (1) The Returning Officer shall then collect the voting papers from the Members present, and shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall mark as "rejected" voting papers which he rejects on the ground that they do not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

9. (1) The Returning Officer shall thereupon count the votes in the presence of the Members.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 8 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that is does not comply with the instructions thereon, or to the rejection by the Returning Officer of any voting

paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

10. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

11. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

12. The Returning Officer shall without delay report the result of the election to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

13. The Local Government shall appoint such date, time and place as it may think suitable for the meeting of Members under rule 3 and shall notify the same in such manner as it thinks fit.

FORM I.

(*See rule 4.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the non-official Members of the Legislative Council of the Lieutenant-Governor of the Punjab. / ~~Eastern Bengal and Assam.~~ / Burma.

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each Member shall enter the name of the candidate to whom he desires to give his vote.

2. Each Member has one vote.

3. He shall vote by placing the mark × opposite the name of the candidate to whom he desires to give his vote.

4. The voting paper shall be invalid if more than one vote is recorded on it.

5 If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

6. After voting the Member shall sign the paper at the place indicated on the back, fold it, and deliver it to the Returning Officer. Voting papers not so signed shall be invalid.

Signature of Member.

SCHEDULE III.

[*See Regulation II, sub-head (viii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE DISTRICT COUNCILS AND MUNICIPAL COMMITTEES IN THE CENTRAL PROVINCES.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorate.

2. (1) The Member specified in Regulation II, sub-head (viii), shall be elected by the votes of delegates to be selected from among themselves in the manner hereinafter prescribed, by the members, other than those appointed *ex officio*, of the District Councils and Municipal Committees specified below.

(2) The number of delegates which such District Councils and Municipal Committees are entitled to select shall be as follows:—

District Councils.

Nagpur District ...	...	...	3	Hoshangabad District ...	...	...	1
Bhandara ,, ...	...	...	1	Narsinghpur ,, ...	...	...	1
Chanda ,, ...	...	...	1	Nimar ,, ...	...	...	1
Wardha ,, ...	...	...	1	Betul ,, ...	...	...	1
Balaghat ,, ...	...	...	1	Chhindwara ,, ...	...	...	1
Jabalpur ,, ...	...	...	3	Raipur ,, ...	...	...	2
Saugor ,, ...	...	...	1	Bilaspur ,, ...	...	...	1
Damoh ,, ...	...	...	1	Drug ,, ...	...	...	1
Seoni ,, ...	...	...	1				
						Total ...	22

Municipal Committees.

Nagpur	... 5	Balaghat	... 1	Mandla	... 1	Burhanpur	... 1
Umrer	... 1	Jabalpur	... 3	Hoshangabad	... 1	Badnur	... 1
Bhandara	... 1	Saugor	... 2	Harda	... 1	Chhindwara	... 1
Chanda	... 1	Damoh	... 1	Narsinghpur	... 1	Raipur	... 2
Wardha	... 1	Seoni	... 1	Khandwa	... 1	Bilaspur	... 1
						Total	... 28

Selection of delegates.

3. (1) On such date as may be appointed by the Local Government in this behalf, the members above-mentioned of each District Council and Municipal Committee specified in rule 2 shall meet for the purpose of selecting the number of delegates to which it may be entitled.

(2) At such meetings the Attesting Officer shall attend for the purpose of explaining the rules and shall then withdraw.

(3) The business of the meeting shall be conducted by the chairman or president of the Council or Committee, or, in the absence of such chairman or president or if he is an official appointed by Government, by a chairman elected for the purpose.

(4) The selection shall be conducted in accordance with the rules or bye-laws of the Council or Committee for the conduct of business:

Provided that a person already selected as a delegate for a District Council shall not be eligible as a delegate for a Municipal Committee, and *vice versâ*.

(5) When the selection is complete, the chairman or president shall deliver to the Attesting Officer a list of the delegates selected.

(6) The Attesting Officer shall without delay report to the Returning Officer the names and addresses of the delegates selected (hereinafter referred to as electors), and the said names and addresses shall be published in such manner as the Local Government may prescribe.

Qualifications and nomination of candidates.

4. (1) Any person not ineligible for election under these Regulations who has a place of residence in the Central Provinces and either is a member or has served at least three years as a member of any such District Council or Municipal Committee may be nominated as a candidate for election.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Attesting Officer to any member mentioned in rule 2 asking for the same.

(3) Every nomination paper shall be subscribed as proposer and seconder by two such members and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no member shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested by the Attesting Officer shall be despatched by him without delay by registered post to the Returning Officer.

5. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

6. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 4, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

Voting.

7. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

8. (1) On such date and at such time and place as the Local Government may appoint in this behalf, the electors desirous of recording their votes shall attend for the purpose before the Returning Officer.

(2) The Returning Officer shall thereupon deliver to each elector a voting paper in Form II annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall then sign the declaration on the back of the paper in the presence of the Returning Officer in accordance with the instructions on the face thereof, and the Returning Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Returning Officer, and there record his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided and after closing the envelope shall deliver it to the Returning Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the selection of delegates under rule 3;

(*b*) the attestation of nomination papers under rule 4;

(*c*) the scrutiny of nomination papers under rule 6;

(*d*) the attestation of voting papers under rule 8; and

(*e*) the counting of votes under rule 10.

FORM I.

(See rule 4.)

NOMINATION PAPER

1. Name of candidate.
2. Father's name.
3. Address.
4. Signature of proposer.
5. Signature of seconder.

Signed in my presence by and
who are personally known to me (*or* are identified to my satisfaction) as members, other than those appointed *ex officio*, of the $\frac{\text{District Council}}{\text{Municipal Committee}}$ of .

Attesting Officer.

Date

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of and between the hours of and , at the office of

FORM II.

(*See rule 8.*)

VOTING PAPE

One Additional Member is to be elected to the Legislative Council of the Governor General by Delegates of the District Councils and Municipal Committees in the Central Provinces. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate it is intended to apply.

4. The elector shall sign the declaration on the back of the paper in the presence of the Returning Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

I hereby declare that I am a Delegate of the $\frac{\text{District Council}}{\text{Municipal Committee}}$ of

Elector.

.....

(Fold on this line.)

Signed in my presence by the elector, who $\frac{\text{is personally known to me}}{\text{has been identified to my satisfaction.}}$

Returning Officer

SCHEDULE IV.

[*See Regulation II, sub-head (ix), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN THE PRESIDENCY OF FORT ST. GEORGE.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Collector" means the District Collector.

(3) "Estate" means any permanently-settled estate or temporarily-settled zamindári or any unsettled palaiyam or jághír, and includes any portion of such estate which is separately registered in the office of the Collector.

(4) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(5) "Zamindár" means the holder of an estate and includes a person in receipt of a málikhána allowance from Government.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (ix), shall be elected by the votes of all landholders, being persons qualified to vote and having a place of residence in the Presidency of Fort St. George, who—

(*a*) possess an annual income, calculated as provided in rules 3, 4, 5 and 6, of not less than fifteen thousand rupees derived from land situated within the Presidency, or

(*b*) receive from Government a málikhána allowance the annual amount of which is not less than fifteen thousand rupees.

3. For the purposes of rule 2 the annual income of a zamindár from his estate shall be taken to be the annual rental upon which he pays land-cess under the Madras Local Boards Act, 1884, excluding the peshkash or similar charge payable by him to Government.

4. (1) For the purposes of rule 2 the annual income of landholders other than zamindárs shall be calculated as follows:—

(*a*) the income of ryotwári holders cultivating their own lands shall be taken to be equal to twice the assessment fixed on the land so cultivated;

(*b*) the income of ryotwári holders who have leased their lands to tenants shall be taken to be equal to the assessment fixed on the land so leased;

(*c*) the income of holders of ináms shall be taken to be equal to the rental value on which the land-cess is calculated under section 64 of the Madras Local Boards Act, 1884, excluding the peshkash, jodi, quit-rent or similar charge payable to Government;

(*d*) the income of tenants and kánomdárs under ryotwári holders shall be taken to be equal to the assessment fixed on the land;

(*e*) the income of tenants of zamindárs and inámdárs shall be taken to be equal to two-thirds of the annual rent value of the lands held by such tenants as determined under section 64 of the Madras Local Boards Act, 1884;

Provided that to the income of tenants holding land free of rent or at a favourable rent calculated as provided in clause (*d*) or (*e*) above, as the case may be, there shall be added the difference between the rent (if any) actually charged and the rent ordinarily payable, for land of similar description and with similar advantages in the village or in neighbouring villages; and

(*f*) the income of sub-tenants shall be taken to be equal to half the income as determined for the superior tenant.

(2) If, in any case, a separate water-rate or second-crop charge is payable to Government or to a superior holder in respect of any land, such water-rate and charge shall be regarded as forming part of the assessment or rental value, as the case may be, in calculating income under this rule:

Provided that a landholder who collects water-rate or second-crop charge from another person on behalf of Government is not entitled to have anything so collected taken into account when his income is fixed under this rule or rule 3.

(3) If, in any case, it is not possible to calculate income from land in accordance with rule 3 or sub-rule (1) of this rule, the Collector shall determine such income for the purposes of these rules upon the best information available.

5. In all cases under rule 3 and rule 4, the annual income shall be calculated on the figures of the latest fasli year for which figures are available or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

6. (1) In calculating the annual income of all landholders for the purposes of rule 2—

(*a*) income derived from an estate shall not be reckoned along with income derived from any land other than an estate, but it may be reckoned along with a málikhána allowance;

(*b*) subject to the provisions of clause (*a*), incomes derived from more than one parcel of land, however held, may be reckoned together:

Provided that, in the case of land referred to in rule 13, sub-rule (2), and rule 14, the income derived therefrom shall not be added to any income derived from other land unless the holder of the latter has been nominated, or is entitled, under those rules to represent the joint holders or family in respect of the former land.

(2) In no case shall income derived from a portion of an estate which is not separately registered in the office of a Collector be taken into account.

7. No person shall be entitled to vote except in the district in which he resides and he shall not be entered in the electoral roll under any other district.

8. No elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

9. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the electoral roll in the local official Gazette, an extract from the electoral roll relating to each district shall be published in the official Gazette of that district and shall also be posted in a conspicuous place at the office of the Collector.

10. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

11. (1) A person who is nominated, or entitled, under rule 13, sub-rule (2), or rule 14, to represent a group of joint owners or a joint family and who is himself possessed of a separate property qualification which entitles him to vote, may elect whether to be entered in the electoral roll in his representative or in his separate capacity.

(2) Every such person shall be entered in one such capacity only and under the district in which he resides.

12. Except as expressly provided in these rules, no person claiming to vote on account of the possession of income derived from land for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the land from which the income is derived stands registered in such register in his name.

13. (1) Where land is registered in the name of a single holder, the name of that holder alone shall be entered in the electoral roll.

(2) Where several persons are registered as joint holders of land, a majority of the adult male persons so registered may nominate in writing any one of themselves who is qualified to vote to be their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of such land.

Explanation.—Land registered under section 14 of the Malabar Land Registration Act, 1896, in the joint names of the registered proprietor and another person is not land registered in the names of joint holders within the meaning of this rule.

14. (1) Where the property of a tarwád or similar joint family under the Marumakkátayam or Aliyasantána law is registered in the name of a woman and would, but for the disqualification of sex, qualify the registered holder to vote, the senior male member of the family shall, if he is qualified to vote, be entered in the electoral roll under the district in which he resides as the representative of the family for voting purposes.

(2) If the senior male member is not so qualified, no entry shall be made in the roll in respect of the property possessed by the family.

15. Except as hereinbefore provided, no person shall be entitled to have his name entered in the electoral roll unless he possesses the prescribed property qualification in his own personal right and not in a fiduciary capacity.

Revision of electoral roll.

16. (1) The electoral roll published under rule 9 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At any time so notified the Collector may, of his own motion, and shall, on the application of any person whose name appears in the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Collector, after such enquiry as he may think necessary, may order any addition to or alteration in the electoral roll, and the orders passed by him in revision shall be final.

(4) As soon as may be after the expiry of the period fixed by the Local Government as that within which the revision must be completed, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 9.

Qualifications and nomination of candidates.

17. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

18. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

19. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 17, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

Voting.

20. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

21. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

22. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

23. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

24. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 23 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

25. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

26. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

27. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

28. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the publication of the electoral roll under rule 9;

(*b*) the attestation of nomination papers under rule 17;

(*c*) the scrutiny of nomination papers under rule 19;

(*d*) the attestation of voting papers under rule 21; and

(*e*) the counting of votes under rule 24.

FORM I.

(*See rule 9.*)

ELECTORAL ROLL OF LANDHOLDERS IN THE PRESIDENCY OF FORT ST. GEORGE FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No. on general roll.	Serial No. on district roll.	Name of elector.	Name of elector's father, kárnavan or ejmán.	Address.	Qualifications.	Whether representing joint family or joint landowners.	Serial No. in previous general electoral roll.
1	2	3	4	5	6	7	8

FORM II.

(See rule 17.)

NOMINATION PAPER.

1. Name of candidate.
2. Name of father, kárṇavan or ejmán.
3. Age.
4. Address.
5. Place of residence.
6. District under which the name of the candidate is entered in the electoral roll.
7. Number borne by candidate on the general electoral roll.
8. Signature of proposer.
9. Signature of seconder.

Signed in my presence on the of 19 by and who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and in the extract relating to this district from the electoral roll of Landholders in the Presidency of Fort St. George for the election of an Additional Member to the Legislative Council of the Governor General.

STATION.

Attesting Officer.

DISTRICT.

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on the day of 19 and between the hours of and at the office of .

FORM III.

(See rule 21.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Landholders in the Presidency of Fort St. George. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Landholders in the Presidency of Fort St. George for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 22.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE V.

[*See Regulation II, sub-head (x), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN THE PRESIDENCY OF BOMBAY.

1. The Member specified in Regulation II, sub-head (x), shall be elected in the order of rotation hereinafter specified by such—

(*a*) Jagirdars and Zamindars of Sind,

(*b*) Sardars of Gujarat, and

(*c*) Sardars of the Deccan,

as are qualified to vote for the election of Additional Members of the Legislative Council of the Governor of Bombay.

2. The order of rotation in which each of the three abovementioned classes of landholders shall exercise its right of election shall be as follows, namely:—

(1) the Jagirdars and Zamindars of Sind;

(2) the Sardars of Gujarat;

(3) the Jagirdars and Zamindars of Sind;

(4) the Sardars of the Deccan;

and thereafter in the same order of rotation.

3. The rules for the election of an Additional Member of the Legislative Council of the Governor of Bombay by each of the abovementioned classes shall apply with the necessary modifications to the election by such class of a Member under this Schedule.

4. The result of the election in each case shall be reported to the Secretary to the Government of India in the Legislative Department as well as to the Secretary of the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the Gazette of India as well as in the local official Gazette.

SCHEDULE VI.

[*See Regulation II, sub-head (xi), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN BENGAL.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. The election of the Member specified in Regulation II, sub-head (xi), shall be made by landholders qualified to vote and having a place of residence within the province of Bengal, who—

(*a*) pay land-revenue or road and public works cesses, as follows:—

(*i*) in the case of the Presidency, Burdwan and Orissa Divisions, forming one group, land-revenue amounting to not less than twenty thousand rupees or road and public works cesses amounting to not less than five thousand rupees per annum; and

(*ii*) in the case of the Patna, Tirhut, Bhagalpur and Chota Nagpur Divisions, forming another group, land-revenue amounting to not less than fifteen thousand rupees or road and public works cesses amounting to not less than three thousand seven hundred and fifty rupees per annum; or

(*b*) hold titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate and, in the case of Calcutta, at the office of the Chief Presidency Magistrate.

4. In determining the eligibility of a landholder as an elector—

(*a*) only such estates and shares of estates as are held by him as proprietor in his own right and not in a fiduciary capacity, and are registered in his own name in registers maintained under the Land Registration Act, 1876, whether such estates or shares are situated in one or more Divisions of the group, shall be taken into account;

(*b*) if the amount paid by the landholder in respect of any such share of an estate is not definitely known, the District Officer of the district in which such estate is situated shall estimate the amount so paid in respect of such share, and his decision shall be final;

(*c*) if a landholder pays land-revenue or cesses in respect of estates or shares in estates situated partly in one group and partly in another, and if his payments in neither group reach the amount prescribed for that group, his payments in both groups shall be aggregated, and, if such aggregate equals or exceeds the amount prescribed for the group in which he makes the larger payments, he shall be entitled to be entered in the electoral roll for that group.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified any landholder whose name does not appear on the said electoral roll and who claims to have his name included therein, and any person who objects to the entry of any name in such roll, may, within fifteen days after the publication of the notification under the last sub-rule, forward to the Returning Officer, either direct or through the District Magistrate of the district in which he resides, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 7, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

Voting.

9. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same at any time on or before the day appointed as the latest date for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then record his vote on the voting paper in accordance with the instructions on the face thereof, and after placing the voting paper in an envelope and closing the same shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post, in a packet securely sealed with his official seal.

(8) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

10. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

11. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 10 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

12. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

13. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

14. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the publication of the electoral roll under rule 3;

(*b*) the attestation of nomination papers under rule 7;

(*c*) the scrutiny of nomination papers under rule 8;

(*d*) the sending of voting papers under rule 9;

(*e*) the attestation of voting papers under rule 9; and

(*f*) the counting of votes under rule 11.

FORM I.

(*See rule 3.*)

ELECTORAL ROLL OF LANDHOLDERS IN BENGAL FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

DIVISION.

Serial No.	District.	Name of elector.	Father's name.	Address of elector.	Qualifications.
1	2	3	4	5	6

FORM II.

(See rule 7.)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the electoral roll of Landholders in Bengal for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the of 19 and between the hours of and .

FORM III.

(See rule 9.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Landholders in Bengal. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in an envelope on or before the day of 19 and between the hours of and

I hereby declare that I am the person whose name appears as No. on the electoral roll of Landholders in Bengal for the election of an Additional Member to the Legislative Council of the Governor General.

c

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

Attesting Officer.

FORM IV.

(*See rule 9.*)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No	Name of elector.	Father's name.	Address of elector.
1	2	3	4

Attesting Officer.

SCHEDULE VII.

[*See Regulation II, sub-head (xii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. (1) In the case of the first, third and succeeding alternate elections the Member specified in Regulation II, sub-head (xii), shall be elected by the landholders of the Province of Oudh.

(2) In the case of the second, fourth and succeeding alternate elections—

(*a*) the Member specified in Regulation II, sub-head (xii), shall be elected by the landholders of the Province of Agra, and

(*b*) the second Member specified in the proviso to the said Regulation shall be elected by Muhammadans entitled to vote as landholders in the Provinces of Oudh and Agra.

Explanation.—The expression "alternate elections" shall not be deemed to include elections to fill casual vacancies.

A.—Elections by Landholders in the Province of Oudh.

3. (1) The election of the Member specified in rule 2, sub-rule (1), shall be made by the British Indian Association of Oudh at an extraordinary general meeting in the manner laid down for the time being in the bye-laws of the said Association for carrying resolutions or recording decisions upon questions of business brought before that body:

Provided that, where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn at such meeting and in such manner as the Chairman thereof may determine.

(2) The result of the election shall be forthwith communicated by the said Association to the Chief Secretary to the Local Government and to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

4 Any person not ineligible for election under these Regulations and having a place of residence in the Province of Oudh who is a member of the British Indian Association of Oudh may be elected under rule 3.

B.—Election by Landholders in the Province of Agra.

Qualifications of electors.

5. The election of the Member specified in rule 2, sub-rule (2), clause (*a*), shall be made by all persons qualified to vote and having a place of residence in the Province of Agra who—

(*a*) own in that Province land in respect of which land-revenue amounting to not less than ten thousand rupees per annum is payable, or

(*b*) own in that Province land free of land-revenue if the land-revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either taken by itself or in addition to land-revenue payable in respect of other land by such owners, amounts to not less than ten thousand rupees per annum, or

(*c*) hold the title of Maharaja, Raja or Nawab conferred or recognised by the Government, or

(*d*) hold the title of Rajwar, Rao Bahadur, Rao, Rai, Mirza Bahadur, Mirza, Khan Bahadur, Chaudhri, or Diwan if hereditary and recognised by the Government:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

6. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) In the case of a Hindu joint family or of a firm or company qualified under rule 5, clause (*a*) or clause (*b*), the name of the manager of the family or of any person duly authorised in writing in this behalf by the firm or company shall be entered in the roll as the representative for the purposes of the roll of such family, firm or company, as the case may be.

(3) In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) As soon as may be after the publication of the roll in the local official Gazette, an extract from the electoral roll relating to each district shall be posted in a conspicuous place at the office of the District Magistrate for such district.

7. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

8. (1) The electoral roll published under rule 6 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At any time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 6.

Qualifications and nomination of candidates.

9. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

10. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of Nomination Papers.

11. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 9, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

Voting.

12. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

13 (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

14. (1) The Attesting Officer shall at the close of the day appointed for the attestation of voting papers despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

15. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

16. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 15 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

17. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

18. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

19. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

20. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the publication of the electoral roll under rule 6;

(*b*) the attestation of nomination papers under rule 9;

(*c*) the scrutiny of nomination papers under rule 11;

(*d*) the attestation of voting papers under rule 13; and

(*e*) the counting of votes under rule 16.

C.—Elections by Muhammadans entitled to vote as Landholders in Oudh and Agra.

21. The election of the Member specified in rule 2, sub-rule (2), clause (*b*), shall be made by all Muhammadans who are—

(*a*) members of the British Indian Association of Oudh, or

(*b*) entitled to vote under the provisions of rule 5.

22. The provisions of rules 6 to 20, both inclusive, shall apply, with the necessary modifications, to elections under rule 21.

FORM J.

(See rule 6.)

ELECTORAL ROLL OF LANDHOLDERS IN THE PROVINCE OF AGRA FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No. on roll.	Serial No. on district list.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

Instructions.

1. The roll shall be prepared by districts, each elector's name being entered under the district in which he resides.

2. In the case of an elector qualified under rule 5 (*a*) or 5 (*b*) who pays land-revenue or holds land free of revenue in more than one district, details of the land-revenue payable or nominally assessed in each district shall be entered in column 6, where the land-revenue payable or nominally assessed in any one district does not exceed ten thousand rupees.

3. In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

FORM II.

(See rule 9.)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Landholders in the Province of Agra for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

Instruction.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of , and between the hours of and , at the office of .

FORM III.

(See rule 13.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Landholders in the Province of Agra. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

nstructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Landholders in the Province of Agra for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

ORM IV.

(*Se. ule 14.*)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE VIII.

[*See Regulation II, sub-head (xiii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN EASTERN BENGAL AND ASSAM.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. (1) The Member specified in Regulation II, sub-head (xiii), shall be elected by the landholders of th Province of Eastern Bengal and Assam.

(2) The second Member specified in the proviso to the said Regulation shall be elected by Muhammadans entitled to vote as landholders in the Province of Eastern Bengal and Assam

A.—Elections by Landholders.

Qualifications of electors.

3. The election of the Member specified in Regulation II, sub-head (xiii), shall be made by landholders qualified to vote and having a place of residence in the Province of Eastern Bengal and Assam who—

(*a*) hold in their own right as proprietors within the Province one or more estates or shares of estates in respect of which land-revenue amounting to not less than five thousand rupees or cess amounting to not less than twelve hundred and fifty rupees is payable per annum; or

(*b*) hold titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Explanations.—For the purposes of this rule—

(1) a manager or a trustee, or the holder, of a religious endowment, such as a *mahant* or a *gushain*, or the *mutawali* or manager of a Muhammadan *wakf*, shall not, as such, be deemed to be a person who holds an estate or tenure in his own right;

(2) except in the Assam Valley Division and the Surma Valley and Hill Districts Division, a person shall not be deemed to hold an estate or a share of an estate in his own right, unless such estate or share is registered in his name in registers maintained under the Land Registration Act, 1876;

(3) when an estate or a share of an estate is held by two or more persons jointly, and the share held by each is not specified in the registers referred to above, it shall be assumed, until the contrary is shown, that they hold equal shares;

(4) the term "cess" means the cesses levied by Government under the Cess Act, 1880, and includes also the local rates levied in Assam under the Assam Local Rates Regulation, 1879;

(5) within the Assam Valley Division and Surma Valley and Hill Districts Division the term "proprietor" includes landholders as defined in the Assam Land and Revenue Regulation, 1886.

Electoral roll.

(1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may of his own motion, and shall, on the application of any person whose name appears on the said roll or who claims to [illegible] the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing, or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation before 5 P.M. on the day appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

8. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 7, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

Voting.

10. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

11. (1) The Returning Officer shall, upon such date as may be appointed by the Local Government in this behalf sign and send to each elector by registered post a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer or a District Magistrate for the same on or before the day appointed as the latest date for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall attend for the purpose before an Attesting Officer on any day up to 5 P.M. on the day appointed by the Local Government as the latest date for the attestation of voting papers.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions, and shall deliver to him an envelope in which to enclose his voting paper after he has voted.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

12. (1) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 13 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) When an equality of votes is found to exist between any candidates and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

17. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government, and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

18. The Local Government shall appoint, and notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the publication of the electoral roll under rule 4;
(*b*) the attestation of nomination papers under rule 7;
(*c*) the scrutiny of nomination papers under rule 9;
(*d*) the sending of voting papers under rule 11;
(*e*) the attestation of voting papers under rule 11;
(*f*) the counting of votes under rule 14.

B.—Elections by Muhammadans entitled to vote as landholders in Eastern Bengal and Assam.

19. The election of the Member specified in rule (2), sub-rule (2), shall be made by all Muhammadans who are entitled to vote under the provisions of rule 3.

20. The provisions of rules 4 to 18, both inclusive, shall apply, with the necessary modifications, to elections under rule 19.

FORM I.

(See rule 4.)

ELECTORAL ROLL OF LANDHOLDERS IN EASTERN BENGAL AND ASSAM FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No. on roll.	Name of district.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

FORM II.

(See rule 7.)

NOMINATION PAPER.

1. Name of candidate.

2. Father's nam

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Landholders in Eastern Bengal and Assam for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation before 5 P.M. on the day of 19 at the office of an Attesting Officer.

FORM III.

(See rule 11.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Landholders in Eastern Bengal and Assam. The following [ ] candidates have been duly nominated:—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose, on or before the day of 19 , and between the hours of and .

I hereby declare that I am the person whose name appears as No. on the electoral roll of Landholders in Eastern Bengal and Assam for the election of an Additional Member to the Legislative Council of the Governor General.

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

Attesting Officer.

FORM IV.

(*See rule 12.*)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE IX.

[*See Regulation II, sub-head (xiv), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE LANDHOLDERS IN THE CENTRAL PROVINCES.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. (1) The Member specified in Regulation II, sub-head (xiv), shall be elected by the votes of delegates to be selected in the manner hereinafter prescribed by all persons qualified to vote and having a place of residence in the Central Provinces who hold land in those Provinces in proprietary right and—

(*a*) whose land is assessed to land-revenue at not less than five thousand rupees per annum; or

(*b*) whose names are entered in the Durbar list prepared under the authority of the Local Government; or

(*c*) who hold the office of Honorary Magistrate:

Provided that no person shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) In the case of a Hindu joint family qualified under rule 2, clause (*a*), the name of the manager of the family, or of any member of the family whom the manager may appoint in writing in this behalf, shall be entered in the roll as the representative, for the purposes of the roll, of such family.

(3) In determining the eligibility of a landholder as an elector, only land-revenue assessed on such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) A person who is qualified as an elector for two or more districts may choose the district in which he desires to vote, but shall not be entitled to have his name entered in the electoral roll of more than one district.

(5) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every Deputy Commissioner.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Deputy Commissioner may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Deputy Commissioner, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the Deputy Commissioner to the Commissioner of the division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided, however, that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Selection of delegates.

6. The number of delegates to be selected for each district shall be as follows:—

Nagpur District	...	...	...	4	Hoshangabad District	...	...	3
Bhandara ,,	...	...	...	2	Narsinghpur ,,	...	...	3
Chanda ,,	...	...	...	2	Nimar ,,	...	...	2
Wardha ,,	...	...	...	3	Betul ,,	...	...	1
Balaghat ,,	...	...	...	1	Chhindwara ,,	...	...	1
Jabalpur ,,	...	...	...	4	Raipur ,,	...	...	3
Saugor ,,	...	...	...	3	Bilaspur ,,	...	...	2
Damoh ,,	...	...	...	1	Drug ,,	...	...	3
Seoni ,,	...	...	...	1				
Mandla ,,	...	...	...	1		Total	...	40

7. On such date and at such time as may be appointed by the Local Government in this behalf, the persons whose names are entered in the electoral roll of each district shall meet at the headquarters of that district for the purpose of selecting from among themselves the number of delegates specified in rule 6.

8. (1) At such meeting the Attesting Officer shall attend, and, after explaining the rules, shall sign and deliver to each elector present a voting paper in Form II hereto annexed, and shall thereafter withdraw.

(2) The electors present shall then proceed to elect from among themselves a chairman, who shall in the first instance state the number of delegates to be selected and call upon such electors to nominate persons up to that number.

9. (1) Any person whose name is on the electoral roll may be nominated for selection as a delegate by any two other such persons as proposer and seconder, and the names of all persons so nominated and their respective proposers and seconders shall thereupon be entered by the chairman in a list which shall be read out and signed by him.

(2) If the number of persons nominated does not exceed the number of delegates assigned to the district as aforesaid, such persons shall be deemed to be selected as delegates, and the chairman shall forthwith inform the Attesting Officer of their names and addresses.

(3) If the number of persons nominated exceeds the number of delegates assigned as aforesaid, the electors present, including the chairman, shall record their votes in the manner prescribed in the voting paper, and deliver the voting papers to the chairman.

10. (1) The chairman shall then inform the Attesting Officer, who shall thereupon return to the meeting, and the chairman shall make over to him the list of candidates nominated together with the voting papers.

(2) The Attesting Officer shall then examine the voting papers and count the votes in the presence of the electors, and shall endorse "rejected" on any voting paper which he may reject and mark "discarded" against any vote which he may discard on the ground that it does not comply with the instructions on the voting paper.

11. (1) When the counting of the votes has been completed, the Attesting Officer shall forthwith declare the candidate or candidates to whom the largest numbers of votes have been given to be selected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared selected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Attesting Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Attesting Officer shall seal up the voting papers and shall retain the same for

a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

13. The Attesting Officer shall without delay report to the Returning Officer the names and addresses of the delegates selected, and the said names and addresses shall be published in such manner as the Local Government may prescribe.

Qualifications and nomination of candidates.

14. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate.

(2) Such nomination shall be made by means of a nomination paper in Form III annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

15. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

16. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 14, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

Voting.

17. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

18. (1) On such date and at such time and place as the Local Government may appoint in this behalf, the delegates desirous of recording their votes shall attend for the purpose before the Returning Officer.

(2) The Returning Officer shall thereupon deliver to each delegate a voting paper in Form IV annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The delegate shall then sign the declaration on the back of the paper in the presence of the Returning Officer in accordance with the instructions on the face thereof, and the Returning Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The delegate shall then proceed to a place screened from observation, which shall be provided by the Returning Officer, and there record his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The delegate shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Returning Officer.

(6) Neglect on the part of the delegate to comply with any of these instructions shall render the vote invalid.

Counting of votes and declaration of result.

19. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the delegate, and shall seal down the portion thus folded with his official seal.

20. The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 19 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions therein or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

21. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

22. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

23. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

24. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the publication of the electoral roll under rule 3;

(*b*) the selection of delegates under rule 7;

(*c*) the attestation of nomination papers under rule 14;

(*d*) the scrutiny of nomination papers under rule 16;

(*e*) the attestation of voting papers under rule 18; and

(*f*) the counting of votes under rule 20.

FORM I.

(See rule 3.)

ELECTORAL ROLL OF LANDHOLDERS IN THE CENTRAL PROVINCES FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

DISTRICT.

1	2	3	4	5
Serial No.	Name of elector.	Father's name.	Address.	Qualifications.

FORM II.

(*See rule* 18.)

VOTING PAPER.

_____ Delegate is / Delegates are to be selected by the Landholders of the _____ District.

Serial No.	Names of candidates.	Votes.

Attesting Officer.

Instructions.

1. Each elector shall enter the name or names of the candidate or candidates to whom he desires to give his vote or votes.

2. Each elector has as many votes as there are delegates to be selected.

3. If he has more votes than one, he may give all his votes to one candidate or may distribute them in any manner he thinks fit among the candidates.

4. He shall vote by placing, or causing to be placed, opposite the name or names of the candidate or candidates, the mark × or as many such marks as the number of votes which he desires to give to such candidate.

5. The voting paper will be rejected if the total number of votes recorded on it exceeds the number of delegates to be selected.

6. If the mark denoting any vote is so placed as to render it doubtful to which candidate such mark is intended to apply, the vote will be discarded.

FORM III.

(*See rule 14.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Address.

4. Signature of proposer.

5. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Landholders in the Central Provinces for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

Date

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of , and between the hours of and , at the office of .

FORM IV.

(*See rule 18.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by Delegates selected by Landholders in the Central Provinces. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each delegate has one vote

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The delegate shall sign the declaration on the back of the paper in the presence of the Returning Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

I hereby declare that I am a Delegate for the election of an Additional Member to the Legislative Council of the Governor General by the Landholders in the Central Provinces.

C. N.,

Delegate.

(*Fold on this line.*)

Signed in my presence by the Delegate, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Returning Officer.

SCHEDULE X.

[*See Regulation II, sub-head (xv), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY IN THE PRESIDENCY OF FORT SAINT GEORGE.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Collector" means the District Collector.

(3) "Estate" means any permanently-settled estate or temporarily-settled zamindári or any unsettled pálaiyam or jághír, and includes any portion of such estate which is separately registered in the office of the Collector.

(4) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(5) "Zamindár" means the holder of an estate and includes a person in receipt of a málikhána allowance from Government.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (xv), shall be elected by Muhammadans of the Presidency of Fort St. George.

3. The election shall be made by all Muhammadans qualified to vote and having a place of residence in the Presidency of Fort St. George, who—

(*a*) are landholders possessing an annual income from land situated within the Presidency of Fort St. George of not less than three thousand rupees; or

(*b*) pay on their own account income-tax on an income of not less than six thousand rupees; or

(*c*) are members of the Legislative Council of the Governor of Fort St. George; or

(*d*) are Ordinary or Honorary Fellows of the University of Madras; or

(*e*) are holders of any title conferred or recognized by the Government or are members of the Order of the Star of India or the Order of the Indian Empire or holders of the Kaisar-i-Hind Medal; or

(*f*) are in receipt of pensions for service as gazetted or commissioned officers of Government.

4. For the purposes of rule 3, the annual income of a zamindár from his estate shall be taken to be the annual rental upon which he pays land-cess under the Madras Local Boards Act, 1884, excluding the peshkash or similar charge payable by him to Government.

5. (1) For the purposes of rule 3, the annual income of landholders other than zamindárs shall be calculated as follows:—

(*a*) the income of ryotwári holders cultivating their own lands shall be taken to be equal to twice the assessment fixed on the land so cultivated;

(*b*) the income of ryotwári holders who have leased their lands to tenants shall be taken to be equal to the assessment fixed on the land so leased;

(*c*) the income of holders of ináms shall be taken to be equal to the rental value on which the land-cess is calculated under section 64 of the Madras Local Boards Act, 1884, excluding the peshkash, jodi, quit-rent or similar charge payable to Government;

(*d*) the income of tenants and kánomdárs under ryotwári holders shall be taken to be equal to the assessment fixed on the land;

(*e*) the income of tenants of zamindárs and inámdárs shall be taken to be equal to two-thirds of the annual rent-value of the lands held by such tenants as determined under section 64 of the Madras Local Boards Act, 1884:

Provided that to the income of tenants holding land free of rent or at a favourable rent calculated as provided in clause (*d*) or (*e*) above, as the case may be, there shall be added the difference between the rent (if any) actually charged and the rent ordinarily payable for land of similar description and with similar advantages in the village or in neighbouring villages;

(*f*) in the case of sub-tenants, the income shall be taken to be equal to half the income as determined for the superior tenant.

(2) If in any case a separate water-rate or second-crop charge is payable to Government or to a superior holder in respect of any land, such water-rate and charge shall be regarded as forming part of the assessment or rental value, as the case may be, in calculating income under this rule:

Provided that a landholder who collects water-rate or second-crop charge from another person on behalf of Government is not entitled to have anything so collected taken into account when his income is fixed under this rule or rule 4.

(3) If, in any case, it is not possible to calculate income from land in accordance with rule 4 or sub-rule (1) of this rule, the Collector shall determine such income for the purposes of these rules upon the best information available.

(4) In all cases under this rule and rule 4, the income shall be calculated on the figures of the latest fasli year for which figures are available or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

6. In calculating the annual income of all landholders for the purposes of rule 3,—

(*a*) income derived from an estate shall not be reckoned along with income derived from any land other than an estate, but it may be reckoned along with a málikhána allowance;

(*b*) subject to the provisions of clause (*a*), incomes derived from more than one parcel of land, however held, may be reckoned together: Provided that, in the case of land referred to in rule 13, sub-rule (2), and rule 14, the income derived therefrom shall not be added to any income derived from other land unless the holder of the latter has been nominated, or is entitled, under those rules, to represent the joint holders or family in respect of the former land;

(*c*) in no case shall income derived from a portion of an estate which is not separately registered in the office of a Collector be taken into account, nor shall income derived from land be reckoned with income derived from any other source.

7. (1) No person shall be entitled to vote except in the district in which he resides, and he shall not be entered in the electoral roll under any other district.

(2) In the case of a person or firm claiming to vote on the ground of payment of income-tax, such person or firm shall vote only in the district which is determined for the purposes of the Indian Income-tax Act, 1886, as the district in which he resides or in which the firm has its principal place of business, as the case may be.

8. No elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

9. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the electoral roll in the local official Gazette, an extract from the electoral roll relating to each district shall be published in the official Gazette of that district and shall also be posted in a conspicuous place at the office of the Collector.

10. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

11. A person who is nominated, or entitled, under rule 13, sub-rule (2), or rule 14, 15 or 16, to represent a group of joint owners, a joint family or a firm, and who is himself possessed of a personal qualification or of a separate property qualification which entitles him to vote, may elect whether to be entered in the electoral roll in his representative or separate capacity, and he shall be entered in one such capacity only and under the district in which he resides.

12. Except as expressly provided in these rules, no person claiming to vote on account of the possession of income derived from land for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the land from which the income is derived stands registered in such register in his name.

13. (1) Where land is registered in the name of a single holder, the name of that holder alone shall be entered in the electoral roll.

(2) Where several persons are registered as joint holders of land, a majority of the adult male persons so registered may nominate in writing any one of themselves who is qualified to vote to be their representative for voting purposes, and the name of such

representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of such land.

Explanation.—Land registered under section 14 of the Malabar Land Registration Act, 1896, in the joint names of the registered proprietor and another person is not land registered in the names of joint holders within the meaning of this rule.

14. Where the property of a tarwád or similar joint family under the Marumakkatáyam or Aliyasantána law is registered in the name of a woman and would, but for the disqualification of sex, qualify the registered holder to vote, the senior male member of the family shall, if he is qualified to vote, be entered in the electoral roll under the district in which he resides as the representative of the family for voting purposes; and, if the senior male member is not so qualified, no entry shall be made in the roll in respect of the property possessed by the family.

15. Where a joint family is assessed as such to pay income-tax, a majority of the adult male members of the family may nominate in writing any one of themselves who is qualified to vote as their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of the payment of income-tax.

16. Where a firm, composed solely of Muhammadan members, pays income-tax on the prescribed minimum income, a majority of the adult male members of the firm may nominate in writing one of themselves who is qualified to vote to vote on behalf of the firm, and his name only shall be entered in the electoral roll under the district in which he resides, and if such nomination is not made, no entry shall be made in the electoral roll in respect of the firm.

17. Except as hereinbefore provided, no person shall be entitled to have his name entered in the electoral roll unless he possesses the prescribed property qualifications in his own personal right and not in a fiduciary capacity.

Revision of electoral roll.

18. (1) The electoral roll published under rule 9 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Collector may, of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Collector, after such enquiry as he may think necessary, may order any addition to or alteration in the electoral roll, and the orders passed by him in revision shall be final.

(4) As soon as may be after the expiry of the period fixed by the Local Government as that within which revision must be completed, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 9.

Qualifications and nomination of candidates.

19. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer to the Returning Officer by registered post.

20. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

21. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or upon objection made, reject any nomination paper on the ground that

it does not comply with the provisions of rule 19, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

Voting.

22. (1) If one candidate only is duly nominated, the Returning Officer shall declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

23. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

24. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

25. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

26. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 25 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

27. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

28. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

29. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

30. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 9 ;

(*b*) the attestation of nomination papers under rule 19 ;

(*c*) the scrutiny of nomination papers under rule 21 ;

(*d*) the attestation of voting papers under rule 23 ; and

(*e*) the counting of votes under rule 6.

FORM I.

(*See rule 9.*)

ELECTORAL ROLL OF MUHAMMADANS IN THE PRESIDENCY OF FORT ST. GEORGE FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No. on general roll.	Serial No. on district roll.	Name of elector.	Name of elector's father, kárnavan or ejmán.	Address.	Qualifications.	Whether representing joint family or joint landowners.	Whether representing a firm.	Serial No. in previous general electoral roll.
1		3	4	5	6	7	8	9

FORM II.

(See rule 19.)

NOMINATION PAPER.

1. Name of candidate.
2. Name of father, kárnavan or ejmán.
3. Age.
4. Address.
5. Place of residence.
6. District under which the name of the candidate is entered in the electoral roll.
7. Number borne by candidate on the general electoral roll.
8. Signature of proposer.
9. Signature of seconder.

Signed in my presence on the day of 19 by and , who are personally known to me (*or* who have been identified to my satisfaction) as voters Nos. and in the extract relating to this district from the electoral roll of Muhammadans in the Presidency of Fort St. George for the election of an Additional Member to the Legislative Council of the Governor General.

STATION.

DISTRICT. *Attesting Officer.*

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on the day of and between the hours of and at the office of

FORM III.

(*See rule 23.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Muhammadan community in the Presidency of Fort St. George. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

INSTRUCTIONS.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4 Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Muhammadans in the Presidency of Fort St. George for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(*See rule 24.*)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer

SCHEDULE XI.

[*See Regulation II, sub-head (xvi), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY IN THE PRESIDENCY OF BOMBAY.

1. The Member specified in Regulation II, sub-head (xvi), shall be elected by the votes of the Muhammadan non-official Additional Members of the Legislative Council of the Governor of Bombay.

2. Any person not ineligible for election under these Regulations, and qualified to vote for the election of an Additional Member by the Muhammadan community in the Presidency of Bombay to the said Legislative Council, shall be eligible for election.

3. The rules for the election of an Additional Member to the Legislative Council of the Governor General by the non-official Additional Members of the Legislative Council of the Governor of Bombay shall apply with the necessary modifications to every election under this Schedule.

SCHEDULE XII.

[*See Regulation II, sub-head (xvii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY IN BENGAL.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (xvii), shall be elected by the votes of all Muhammadans having a place of residence in the Province of Bengal who are qualified to vote and possess one of the following qualifications, namely:—

(*a*) are Members of the Legislative Council of the Lieutenant-Governor of Bengal; or

(*b*) are holders of any title conferred or recognised by the Government, or are members of the Order of the Star of India or of the Order of the Indian Empire or holders of the Kaisar-i-Hind Medal; or

(*c*) are Ordinary or Honorary Fellows of the University of Calcutta; or

(*d*) own land in respect of which land-revenue amounting to not less than seven hundred and fifty rupees is payable per annum; or

(*e*) own land in respect of which road and public works cesses amounting to not less than one hundred and eighty-seven rupees eight annas are payable per annum to Government either directly or through a superior landlord; or

(*f*) pay on their own account income-tax on an income of not less than six thousand rupees per annum; or

(*g*) are in receipt of pensions for service as gazetted or commissioned officers of the Government:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate and, in the case of Calcutta, of the Chief Presidency Magistrate.

4. In determining the eligibility of a landholder as an elector, only land-revenue or road and public works cesses payable in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) Any Muhammandan whose name does not appear on the said electoral roll, and who claims to have his name included therein, and any person who objects to the entry of any name in such roll, may, within fifteen days after the publication of the notification referred to in sub-rule (1) of this rule, forward to the Commissioner of the Division in which he resides a statement of such claim or objection, as the case may be.

(3) The Commissioner shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations, whose name is on the electoral roll, may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on or before such date and at such time and place as may be appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer to the Returning Officer by registered post.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 7, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

Voting.

9. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of the Attesting Officer in accordance with the instructions contained on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then record his vote on the voting paper in accordance with the instructions on the face thereof, and after placing the voting paper in an envelope and closing the same shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(8) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

10. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and theAttesting Officer, and shall seal down the portion thus folded with his official seal.

11. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 10 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

12. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

13. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

14. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the publication of the electoral roll under rule 3;

(*b*) the attestation of nomination papers under rule 7;

(*c*) the scrutiny of nomination papers under rule 8;

(*d*) the sending of voting papers under rule 9;

(*e*) the attestation of voting papers under rule 9; and

(*f*) the counting of votes under rule 11.

FORM I.

(See rule 3.)

ELECTORAL ROLL OF MUHAMMADANS IN BENGAL FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No.	Name of elector.	Father's name.	Address of elector.	Qualifications.
1	2	3	4	5

FORM II.

(*See rule 7.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the Electoral Roll of Muhammadans in Bengal for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of 19 , and between the hours of and , at the office of an Attesting Officer.

FORM III.

(*See rule 9.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Muhammadan community in Bengal. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in an envelope between the hours of and on any day before the day of 19 .

No,

I hereby declare that I am the person whose name appears as [
] No. on the Electoral Roll of Muhammadans in Bengal for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.,

Elector.

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(*See rule 9.*)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:—

Serial No.	Name of elector.	Father's name.	Address.
1		3	4

Attesting Officer.

SCHEDULE XIII.

[*See Regulation II, sub-head (xviii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY IN THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (xviii), shall be elected by the votes of all Muhammadans qualified to vote and having a place of residence in the said Provinces who—

(*a*) own land in respect of which land-revenue amounting to not less than ten thousand rupees is payable per annum, or

(*b*) own land free of land-revenue if the land-revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either taken by itself or in addition to land-revenue payable in respect of other land by such owners, amounts to not less than ten thousand rupees per annum, or

(*c*) pay on their own account income-tax on an income of not less than ten thousand rupees per annum, or

(*d*) are Members of the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh, or

(*e*) are Ordinary or Honorary Fellows of the University of Allahabad, or

(*f*) are Trustees of the Muhammadan Anglo-Oriental College, Aligarh; or

(*g*) are holders of any title conferred or recognised by the Government, or are members of the Order of the Star of India or the Order of the Indian Empire or holders of the Kaisar-i-Hind Medal, or

(*h*) are in receipt of pensions for service as gazetted or commissioned officers of the Government, or

(*i*) are honorary Assistant Collectors, Honorary Magistrates or Honorary Munsifs:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) When a firm or company is composed exclusively of persons who are Muhammadans and such firm or company is qualified under rule 2, clause (*a*) or clause (*b*) or clause (*c*), the name of any person duly authorized in writing in this behalf by the firm or company shall be entered in the roll as the representative for the purposes of the roll of such firm or company.

(3) In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) As soon as may be after the publication of the roll in the local official Gazette, an extract from the electoral roll relating to each district shall be posted in a conspicuous place at the office of the District Magistrate for such district.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations and whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 6, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

Voting.

9. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

10. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

11. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

12. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

13. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 12 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

14. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

16. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

17. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 3 ;

(*b*) the attestation of nomination papers under rule 6 ;

(*c*) the scrutiny of nomination papers under rule 8 ;

(*d*) the attestation of voting papers under rule 10 ; and

(*e*) the counting of votes under rule 13.

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FORM I.

(*See rule 3.*)

ELECTORAL ROLL OF MUHAMMADANS IN THE UNITED PROVINCES OF AGRA AND OUDH FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No. on roll.	Serial No. on district list.	Name of elector.	Fat er's name.	Address.	Qualifications.
	2	3	4	5	6

Instructions.

1. The roll shall be prepared by districts, each elector's name being entered under the district in which he resides.

2. In the case of an elector qualified under rule 2 (*a*) or 2 (*b*) who pays land-revenue, or holds land free of revenue in more than one district, details of the land-revenue payable or nominally assessed in each district shall be entered in column 6, where the land-revenue payable or nominally assessed in any one district does not exceed ₹10,000.

3. In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed on account of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

4. In the case of an elector qualified under rule 2 (*c*), the entry in column 6 shall be "Payment of income-tax" and shall not state the actual income on which tax is paid.

FORM II.

(*See rule 6.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Muhammadans in the United Provinces of Agra and Oudh for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

Instructions

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of 19 , and between the hours of and , at the office of .

FORM III.

(*See rule 10.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Muhammadan community in the United Provinces of Agra and Oudh. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as No. on the electoral roll of Muhammadans in the United Provinces of Agra and Oudh for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 11.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE XIV.

[*See Regulation II, sub-head (xix), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY IN EASTERN BENGAL AND ASSAM.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. The election shall be made by all Muhammadans qualified to vote and having a place of residence in the Province of Eastern Bengal and Assam who—

(i) hold a title recognised or conferred by the Government of India, or are members of the Order of the Star of India or of the Order of the Indian Empire, or are holders of the Kaisar-i-Hind Medal, or

(ii) are Honorary or Ordinary Fellows of the University of Calcutta, or

(iii) hold in their own right, as proprietors or permanent tenure-holders, one or more estates or shares of estates, or one or more tenures held direct from the zamindar, or shares of such tenures, in respect of which land-revenue amounting to not less than seven hundred and fifty rupees or cess amounting to not less than one hundred and eighty-seven rupees and eight annas is payable annually; or

(iv) have, during the financial year immediately preceding the commencement of the election, individually paid income-tax in respect of an annual income of not less than six thousand rupees; or

(v) are in receipt of pensions for service as gazetted or commissioned officers of Government:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Explanation.—For the purposes of this rule—

(1) the term "holder in his own right" shall be deemed to include the *mutawali* or manager of a *wakf* estate, but does not include a trustee or a manager in an estate other than a *wakf* estate;

(2) except in the Assam Valley Division and the Surma Valley and Hill Districts Division, a person shall not be deemed to hold an estate or a share of an estate in his own right, unless such estate or share is registered in his name in registers maintained under the Land Registration Act, 1876;

(3) when an estate or a share of an estate is held by two or more persons jointly, and the share held by each is not specified in the registers referred to above, it shall be assumed, until the contrary is shown, that they hold equal shares;

(4) the term "cess" means the cesses levied by Government under the Cess Act, 1880, and includes also the local rates levied in Assam under the Assam Local Rates Regulation, 1879:

(5) within the Assam Valley Division and Surma Valley and Hill Districts Division, the term "proprietor" includes landholders as defined in the Assam Land and Revenue Regulation, 1886.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or if, an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer or by the District Magistrate, of any district to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation before 5 P.M. on the day appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 6, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

Voting.

9. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

10. (1) The Returning Officer shall, on such date as may be appointed by the Local Government in this behalf, sign and send to each elector by registered post a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer or a District Magistrate for the same on or before the day appointed as the latest date for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall attend for the purpose before an Attesting Officer on any day up to 5 P. M. on the day appointed by the Local Government as the latest date for the attestation of voting papers.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions and shall deliver to him an envelope in which to enclose his voting paper after he has voted.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

11. (1) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also send to the Returning Officer by registered post a list, in Form IV annexed to this Schedule, of the electors whose voting papers have been attested by him.

Counting of votes and declaration of result.

12. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

13. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 12 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

14. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) When an equality of votes is found to exist between any candidates and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

16. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

17. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 3 ;

(*b*) the attestation of nomination papers under rule 6 ;

(*c*) the scrutiny of nomination papers under rule 8 ;

(*d*) the sending of voting papers under rule 10 ;

(*e*) the attestation of voting papers under rule 10 ; and

(*f*) the counting of voting under rule 13.

FORM I.

(See rule 3.)

ELECTORAL ROLL OF MUHAMMADANS IN EASTERN BENGAL AND ASSAM FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No. on roll.	Name of district.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3		5	6

FORM II.

(*See rule 6.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Muhammadans in Eastern Bengal and Assam for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation before 5 P. M. on the day of 19 , at the Office of an Attesting officer.

FORM III.

(*See rule 10.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Muhammadan community in Eastern Bengal and Assam. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose on or before the day of 19 and between the hours of and

I hereby declare that I am the person whose name appears as No. on the electoral roll of Muhammadans in Eastern Bengal and Assam for the election of an Additional Member to the Legislative Council of the Governor General.

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

Attesting Officer.

FORM IV.

(See rule 11.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE XV.

[*See Regulation II, sub-head (xx), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE BENGAL CHAMBER OF COMMERCE.

1. The Member specified in Regulation II, sub-head (xx), shall be elected by the members of the Bengal Chamber of Commerce.

2. Any person not ineligible for election under these Regulations, who is at the date of the election a member of the said Chamber, shall be eligible for election.

3. On or before such date as may be appointed by the Local Government in this behalf, the said Chamber shall elect the Member aforesaid in such manner as a Commissioner for the Port of Calcutta is for the time being elected by the said Chamber under section 6 of the Calcutta Port Act, 1890.

4. The Chairman of the said Chamber shall forthwith report the result of the election to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

SCHEDULE XVI.

[*See Regulation II, sub-head (xxi), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE BOMBAY CHAMBER OF COMMERCE.

1. The Member specified in Regulation II, sub-head (xxi), shall be elected by the members of the Bombay Chamber of Commerce.

2. Any person not ineligible for election under these Regulations, who is at the date of the election a member of the said Chamber, shall be eligible for election.

3. On or before such date as may be appointed by the Local Government in this behalf, the said Chamber shall elect the Member aforesaid in such manner as a Trustee for the Port of Bombay is for the time being elected by the said Chamber under section 6 of the Bombay Port Trust Act, 1879.

4. The President of the said Chamber shall forthwith report the result of the election to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

No. III.—Legislative Council of the Governor of Fort St. George.

The 15th November 1909.

No. 15.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor of Fort Saint George:

REGULATIONS FOR THE NOMINATION AND ELECTION OF ADDITIONAL MEMBERS OF THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF FORT ST. GEORGE.

Number of Members.

I. (1) The Additional Members of the Legislative Council of the Governor of Fort St. George, other than the Advocate General or other officer acting in that capacity, shall ordinarily consist of—

A.—Members elected by the classes specified in Regulation II, who shall be nineteen in number;

B.—Members nominated by the Governor, who shall not exceed twenty-three in number, and of whom—

(*a*) not more than sixteen may be officials, and

(*b*) one shall be a non-official person to be selected from the Indian commercial community.

(2) In addition to the forty-two Additional Members above specified, the Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Additional Members of the Council:

Provided that it shall not be lawful for the Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

Elected Members.

II. The nineteen elected Members specified in Regulation I shall be elected as follows, namely:—

(i) By the Corporation of Madras	1 Member.
(ii) By the University of Madras	1 Member.
(iii) By the Municipal Councils and District and Taluk Boards	8 Members.
(iv) By the Zamindars	2 Members.
(v) By the Landholders other than Zamindars	2 Members.
(vi) By the Muhammadan community	2 Members.
(vii) By the Madras Chamber of Commerce	1 Member.
(viii) By the Madras Trades Association	1 Member.
(ix) By the Planting community	1 Member.

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council, if such person—

(*a*) is not a British subject, or

(*b*) is a female, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind, or

(*d*) is under twenty-five years of age, or

(*e*) is an uncertificated bankrupt or an undischarged insolvent, or

(*f*) has been dismissed from the Government service, or

(*g*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(*h*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*i*) has been declared by the Governor in Council to be of such reputation and antecedents that his election would, in the opinion of the Governor in Council, be contrary to the public interest :

Provided that in cases (*f*), (*g*), (*h*) and (*i*) the disqualification may be removed by an order of the Governor in Council in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(*a*) is a female, or

(*b*) is a minor, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind.

Oath of office.

VII. Every person who is elected or nominated under these Regulations to be a Member of Council shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ a Member of the Legislative Council of the Governor of Fort St. George, do solemnly swear (*or* affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person—

(*a*) not being eligible for election is elected under these Regulations, or,

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*c*), (*e*), (*f*), (*g*) or (*h*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Governor in Council may consider reasonable,

the Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person, within such time as may be prescribed by such notification, or shall nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the vernor may nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Secretary to the Government of Madras in the Legislative Department, within seven days from the date of the publication of the result of such elections in the local official Gazette, choose, or in his default the Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who except for the said votes would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

Term of office.

X. (1) Save as provided in clause (2) and subject to the provisions of Regulation XVIII, the term of office of an Additional Member shall be three years from the date of his election or nomination, as the case may be:

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Governor may nominate any person to the vacancy.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Governor may nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Governor of Fort St. George shall be exercised only at meetings at which—

(*a*) the Governor, or

(*b*) the Vice-President appointed by the Governor under section 4 of the Indian Councils Act, 1909, or,

(*c*) in the case of the discussions referred to in section 5 of the said Act, a Member appointed to preside in pursuance of a rule made under that section,

and ten or more Members of the Council are present.

Corrupt practices

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity of election.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination, or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Governor in Council shall, after such enquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Governor may nominate any person who is eligible for election by such electorate.

Finality of decisions.

XVII. The decision by the Governor in Council on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[*See Regulation II, sub-head (i), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE CORPORATION OF MADRAS.

Preliminary.

1. "Returning Officer" means the President of the Corporation of Madras, and includes any Commissioner of the Corporation deputed for the time being by the President to perform his duties under these rules.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (*i*), shall be elected by the votes of the Commissioners of the said Corporation (hereinafter referred to as electors) whose appointments have been notified in the local official Gazette prior to the date on which they record their votes.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector :

Provided that a nomination paper shall also be supplied to any elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

6. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper bearing the name of the elector and signed by the Returning Officer :

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall

attend for the purpose and, after recording his vote on the voting paper in the manner prescribed therein, deliver the same to the Returning Officer.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein :

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions therein or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3 ;

(*b*) the scrutiny of nomination papers under rule 5 ;

(*c*) the sending of voting papers under rule 6 ;

(*d*) the recording of votes under rule 7 ; and

(*e*) the counting of votes under rule 10.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Returning Officer.

Instruction.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(See rule 6.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the Corporation of Madras. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.

6. Votes may be recorded in the presence of the Returning Officer on the day of 19 , between the hours of and , at the office of

Name of elector

I hereby declare that I am a Commissioner of the Corporation of Madras.

(Signed)

(*Fold on this line.*)

SCHEDULE II.

[*See Regulation II, sub-head (ii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE UNIVERSITY OF MADRAS.

Preliminary.

1. "Returning Officer" means the Registrar of the University of Madras, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

Qualification of electors.

2. The Member specified in Regulation II, sub-head (ii), shall be elected by the votes of the Members of the Senate and Honorary Fellows of the University of Madras having a place of residence in India (hereinafter referred to as electors).

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector whose address in India has been registered at the office of the Returning Officer :

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the date and time appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

6. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India whose address has been registered at the office of the Returning Officer one such voting paper signed by the Returning Officer :

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer

shall attend for the purpose, and after recording his vote on the voting paper in the manner prescribed therein deliver the same to the Returning Officer.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein :

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions therein or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3 ;

(*b*) the scrutiny of nomination papers under rule 5 ;

(*c*) the sending of voting papers under rule 6 ;

(*d*) the recording of votes under rule 7 ; and

(*e*) the counting of votes under rule 10.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Returning Officer.

Instructions.

Nomination papers which are not received by the Returning Officer before the day 19

FORM II.

(See rule 6.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the Members of the Senate and Honorary Fellows of the University of Madras. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.

6. Votes may be recorded in the presence of the Returning Officer between the hours of and on the day of 19 at the .

I hereby declare that I am a Member of the Senate (*or* Honorary Fellow) of the University of Madras.

(Signed)

(*Fold on this line.*)

SCHEDULE III.

[*See Regulation II, sub-head (iii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY MUNICIPAL COUNCILS AND DISTRICT AND TALUK BOARDS.

Preliminary.

1. (1) " Attesting Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) " Electoral area " means a group of districts constituted under rule 2.

(3) " Returning Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the eight Members specified in Regulation II, sub-head (iii), one shall be elected for each of the following groups of districts by the Municipal Councils and District and Taluk Boards therein :—

(1) Ganjam and Vizagapatam.
(2) Godávari, Kistna and Guntúr.
(3) Nellore, Chingleput and North Arcot.
(4) Cuddapah, Kurnool, Bellary and Anantapur.
(5) Salem, Coimbatore and the Nilgiris.
(6) South Canara and Malabar (including Anjengo and Tangasseri).
(7) Tanjore, South Arcot and Trichinopoly.
(8) Madura and Tinnevelly.

Electors.

3. The election shall be made by the non-official members of the Municipal Councils and District and Taluk Boards within the electoral area concerned whose appointments as such members have been notified in the local official Gazette prior to the date on which they record their votes.

4. No person shall be entitled to vote except in a district in which he holds office as a non-official member of a Municipal Council or of a District or Taluk Board.

5. No elector shall have more than one vote.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations and qualified to vote under this Schedule may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector of the electoral area concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 6, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

9. (1) If in any electoral area one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

10. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district in which he holds office as aforesaid, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form II annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

11. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form III annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

12. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

13. The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 12 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or t the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

14. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

16. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

17. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the attestation of nomination papers under rule 6 ;

(*b*) the scrutiny of nomination papers under rule 8 ;

(*c*) the attestation of voting papers under rule 10 ; and

(*d*) the counting of votes under rule 13.

FORM I.

(*See rule 6.*

NOMINATION PAPE

1. Name of candidate.

2. Name of father, karnavan or ejmán.

3. Age.

4. Address.

5. Office held by candidate.

6. District in which candidate holds office.

7. Signature of proposer.

8. Signature of seconder.

Signed in my presence on the of 19 by and who are personally known to me (*or* who have been identified to my satisfaction) as non-official members of the Council / Board in the electoral area concerned.

Station.

District.

Attesting Officer.

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on the day of 19 and between the hours of and at the office of

FORM II.

(See rule 10.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the non-official members of Municipal Councils and District and Taluk Boards in the electoral area comprising the districts of

The following ( ) candidates have been duly nominated:—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing or causing to be placed the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied by him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am a non-official member of the Council / Board in the District of .

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM III.

(*See rule 11.*)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE IV.

[*See Regulation II, sub-head (iv), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE ZAMINDÁRS.

Preliminary.

1. (1) " Attesting Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) " Collector " means the District Collector.

(3) " Electoral area " means a group of districts constituted under rule 2.

(4) " Estate " means any permanently-settled estate or temporarily-settled zamindari or any unsettled paláiyam or jághír, and includes any portion of such estate which is separately registered in the office of the Collector.

(5) " Returning Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(6) " Zamindár " means the holder of an estate and includes a person in receipt of a málikhána allowance from Government.

2. Of the two Members specified in Regulation II, sub-head (iv), one shall be elected for each of the following groups of districts, namely :—

Group (1)—Ganjam, Vizagapatam, Godavari, Kistna, Guntúr, Nellore, North Arcot, Cuddapah, Kurnool, Bellary and Anantapur.

Group (2)—Madras, Chingleput, Salem, Coimbatore, South Canara, Malabar (including Anjengo and Tangasseri), the Nilgiris, South Arcot, Tanjore, Trichinopoly, Madura and Tinnevelly.

Qualifications of electors.

3. The election shall be made by all zamindárs qualified to vote and having a place of residence within the electoral area concerned, who—

(*a*) possess an annual income, calculated as provided in rules 4, 5 and 6, of not less than three thousand rupees derived from an estate situated within the Presidency of Fort St. George, or

(*b*) receive from Government a màlikhàna allowance the annual amount of which is not less than three thousand rupees.

4. For the purposes of rule 3, the annual income of a zamindar from his estate shall be taken to be the annual rental upon which he pays land-cess under the Madras Local Boards Act, 1884, excluding the peshkàsh or similar charge payable by him to Government.

5. (1) If in any case it is not possible to calculate income from land in accordance with rule 4, the Collector shall determine such income for the purposes of these rules upon the best information available.

(2) In all cases the income shall be calculated on the figures of the latest fasli year for which figures are available or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

6. In calculating the annual income of zamindars for the purposes of rule 3—

(*a*) income derived from an estate shall not be reckoned along with income derived from any land other than an estate, but it may be reckoned along with a malikhana allowance ; and

(*b*) in no case shall income derived from a portion of an estate which is not separately registered in the office of a Collector be taken into account.

7. No person shall be entitled to vote except in the district in which he resides, and he shall not be entered in the electoral roll under any other district.

8. No elector shall have more than one vote though he may possess more than one of the qualifications above described

9. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll for each electoral area in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the electoral roll in the local official Gazette, an extract from the electoral roll relating to each district shall be published in the official Gazette of that district and shall also be posted in a conspicuous place at the office of the Collector.

10. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

11. No person claiming to vote on account of the possession of income derived from an estate for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the estate from which the income is derived stands registered in such register in his name.

Revision of electoral roll.

12. (1) The electoral roll published under rule 9 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Collector may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Collector, after such enquiry as he may think necessary, may order any addition to or alteration in the electoral roll, and the orders passed by him in revision shall be final.

(4) As soon as may be after the expiry of the period fixed by the Local Government as that within which revision must be completed, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 9.

Qualifications and nomination of candidates.

13. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector of the electoral area concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer to the Returning Officer by registered post.

14. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

15. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 13, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

16. (1) If in any electoral area one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

17. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

18. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

19. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

20. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 19 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

21. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

22. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

23. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

24. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 9 ;

(*b*) the attestation of nomination papers under rule 13 ;

(*c*) the scrutiny of nomination papers under rule 15 ;

(*d*) the attestation of voting papers under rule 17 ; and

(*e*) the counting of votes under rule 20.

FORM I.

(See rule 9.)

ELECTORAL ROLL OF ZAMINDARS FOR

Serial No. on general roll.	Serial No. on district roll.	Name of elector.	Name of elector's father, karnavan or ejmán.	Address.	Qualifications.	Serial No. in previous general electoral roll.
1	2	3	4	5	6	7

FORM II.

(See rule 13.)

NOMINATION PAPER.

1. Name of candidate.

2. Name of father.

3. Age.

4. Address.

5. Place of residence.

6. District under which the name of the candidate is entered in the electoral roll.

7. Number borne by candidate on the general electoral roll.

8. Signature of proposer.

9. Signature of seconder.

Signed in my presence on the of 19 by and who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the electoral roll of Zamindárs for for the election of an Additional Member to the Legislative Council of the Governor of Fort St. George.

STATION.

DISTRICT. *Attesting Officer.*

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on the day of , and between the hours of and , at the office of .

FORM III.

(See rule 17.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the Zamindárs in the electoral area No. . The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied by him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Zamindárs for for the election of an Additional Member to the Legislative Council of the Governor of Fort St. George.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 18.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE V.

[See Regulation II, sub-head (v), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE LANDHOLDERS OTHER THAN ZAMINDA'RS.

Preliminary.

1. (1) " Attesting Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) " Collector " means the District Collector.

(3) " Electoral area " means a group of districts constituted under rule 2.

(4) " Estate " means any permanently-settled estate or temporarily-settled zamindári or any unsettled pálaiyam or jaghír, and includes any portion of such estate which is separately registered in the office of the Collector.

(5) " Returning Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(6) " Zamindár " means the holder of an estate and includes a person in receipt of a málikhána allowance from Government.

2. Of the two Members specified in Regulation II, sub-head (v), one shall be elected for each of the following groups of districts :—

Group (1)—Ganjám, Vizagapatam, Godávari, Kistna, Guntúr, Nellore, North Arcot, Cuddapah, Kurnool, Bellary and Anantapur.

Group (2)—Madras, Chingleput, Salem, Coimbatore, South Canara, Malabar (including Anjengo and Tangasseri), the Nilgiris, South Arcot, Tanjore, Trichinopoly, Madura and Tinnevelly.

Qualifications of electors.

3. The election shall be made by all landholders other than zamindárs qualified to vote and having a place of residence within the electoral area concerned who possess an annual income, calculated as provided in rules 4 and 5, of not less than three thousand rupees derived from land situated within the Presidency of Fort St. George and not forming an estate.

4. (1) For the purposes of rule 3 the annual income of landholders other than zamindárs shall be calculated as follows :—

(*a*) the income of ryotwári holders cultivating their own lands shall be taken to be equal to twice the assessment fixed on the land so cultivated ;

(*b*) the income of ryotwári holders who have leased their lands to tenants shall be taken to be equal to the assessment fixed on the land so leased ;

(*c*) the income of holders of ináms shall be taken to be equal to the rental value on which the land-cess is calculated under section 64 of the Madras Local Boards Act, 1884, excluding the peshkásh, jodi, quit-rent or similar charge payable to Government ;

(*d*) the income of tenants and kánomdárs under ryotwári holders shall be taken to be equal to the assessment fixed on the land ;

(*e*) the income of tenants of zamindárs and inámdárs shall be taken to be equal to two-thirds of the annual rent value of the lands held by such tenants as determined under section 64 of the Madras Local Boards Act, 1884 :

Provided that to the income of tenants holding land free of rent or at a favourable rent calculated as provided in clause (*d*) or clause (*e*) above, as the case may be, there shall be added the difference between the rent (if any) actually charged and the rent ordinarily payable for land of similar description and with similar advantages in the village or in neighbouring villages :

(*f*) in the case of sub-tenants, the income shall be taken to be equal to half the income as determined for the superior tenant.

(2) If, in any case, a separate water-rate or second-crop charge is payable to Government or to a superior holder in respect of any land, such water-rate and charge shall be regarded as forming part of the assessment or rental value, as the case may be, in calculating income under this rule :

Provided that a landholder who collects water-rate or second-crop charge from another person on behalf of Government is not entitled to have anything so collected taken into account when his income is fixed under this rule.

(3) If, in any case, it is not possible to calculate income from land in accordance with sub-rule (1) of this rule, the Collector shall determine such income for the purposes of these rules upon the best information available.

(4) In all cases the income shall be calculated on the figures of the latest fasli year for which figures are available or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

5. In calculating the annual income of landholders for the purposes of rule 3—

(*a*) income derived from an estate shall not be reckoned along with income derived from any land other than an estate ;

(*b*) subject to the provisions of clause (*a*), incomes derived from more than one parcel of land, however held, may be reckoned together : Provided that, in the case of land referred to in rule 11, sub-rule (2), and rule 12, the income derived therefrom shall not be added to any income derived from other land unless the holder of the latter has been nominated, or is entitled, under those rules to represent the joint holders or family in respect of the former land.

6. No person shall be entitled to vote except in the district in which he resides, and he shall not be entered in the electoral roll under any other district.

Electoral roll.

7. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the electoral roll in the local official Gazette, an extract from the electoral roll relating to each district shall be published in the official Gazette of that district and shall also be posted in a conspicuous place at the office of the Collector.

8. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

9. A person who is nominated, or entitled, under rule 11, sub-rule (2), or rule 12, to represent a group of joint owners or a joint family, and who is himself possessed of a separate property qualification which entitles him to vote, may elect whether to be entered in the electoral roll in his representative or separate capacity, and he shall be entered in one such capacity only and under the district in which he resides.

10. Except as expressly provided in these rules, no person claiming to vote on account of the possession of income derived from land for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the land from which the income is derived stands registered in such register in his name.

11. (1) Where land is registered in the name of a single holder, the name of that holder alone shall be entered in the electoral roll.

(2) Where several persons are registered as joint holders of land, a majority of the adult male persons so registered may nominate in writing any one of themselves who is qualified to vote to be their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides and, if such nomination is not made, no entry shall be made in the roll in respect of such land.

Explanation.—Land registered under section 14 of the Malabar Land Registration Act, 1896, in the joint names of the registered proprietor and another person is not land registered in the names of joint holders within the meaning of this rule.

12. Where the property of a tarwád or similar joint family under the Marumakkatáyam or Aliyasantána law is registered in the name of a woman and would, but for the disqualification of sex, qualify the registered holder to vote, the senior male member of the family shall, if he is qualified to vote, be entered in the electoral roll under the district in which he resides as the representative of the family for voting purposes ; and, if the senior male member is not so qualified, no entry shall be made in the roll in respect of the property possessed by the family.

13. Except as hereinbefore provided, no person shall be entitled to have his name entered in the electoral roll unless he possesses the prescribed property qualification in his own personal right and not in a fiduciary capacity.

Revision of electoral roll.

14. (1) The electoral roll published under rule 7 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette direct.

(2) At the time so notified the Collector may of his own motion, and shall on the application of any person whose name appears in the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Collector, after such enquiry as he may think necessary, may order any addition to or alteration in the electoral roll, and the orders passed by him in revision shall be final.

(4) As soon as may be after the expiry of the period fixed by the Local Government as that within which revision must be completed, the electoral roll, as added to or altered on such revision shall be published and posted as provided in rule 7.

Qualifications and nomination of candidates.

15. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector of the electoral area concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

16. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

17. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 15, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

18. (1) If in any electoral area one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

19. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

20. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting paper he has attested.

Counting of votes and declaration of result.

21. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

22. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 21 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

23. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

24. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

25. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

26. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 7 ;

(*b*) the attestation of nomination papers under rule 15 ;

(*c*) the scrutiny of nomination papers under rule 17 ;

(*d*) the attestation of voting papers under rule 19 ; and

(*e*) the counting of votes under rule 22.

FORM I.

(See rule 7.)

ELECTORAL ROLL OF LANDHOLDERS OTHER THAN ZAMINDARS FOR

Serial No. on general roll.	Serial No. on district roll.	Name of elector.	Name of elector's father, kárnaván or ejmán.	Address.	Qualifications.	Whether representing a joint family or joint landowners.	Serial No. in previous general electoral roll.
1	2	3	4	5	6	7	8

FORM II.

(See rule 15.)

NOMINATION PAPER.

1. Name of candidate.

2. Name of father, kárnavan or ejmán.

3. Age.

4. Address.

5. Place of residence.

6. District under which the name of the candidate is entered in the electoral roll

7. Number borne by candidate on the general electoral roll.

8. Signature of proposer.

9. Signature of seconder.

Signed in my presence on the of 19 by and who are personally known to me (*or* who have been identified to my satisfaction) as voters Nos. and on the electoral roll of landholders other than Zamindárs for for the election of an Additional Member to the Legislative Council of the Governor of Fort Saint George.

STATION.

DISTRICT. *Attesting Officer.*

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on the day of , and between the hours of and , at the office of .

FORM III.

(*See rule 19.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the landholders other than Zamindárs in the electoral area No. . The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting-paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of landholders other than Zamindars for for the election of an Additional Member to the Legislative Council of the Governor of Fort St. George.

C. N.,

Elector.

(Fold on this line.)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 20.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE VI.

[*See Regulation II, sub-head (vi), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY IN THE PRESIDENCY OF FORT ST. GEORGE.

Preliminary.

1. (1) " Attesting Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) " Collector " means the District Collector.

(3) " Electoral area " means a group of districts constituted under rule 2.

(4) " Estate " means any permanently-settled estate or temporarily-settled zamindári or any unsettled pálaiyam or jághír, and includes any portion of such estate which is separately registered in the office of the Collector.

(5) " Returning Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(6) " Zamindár " means the holder of an estate and includes a person in receipt of a málikhána allowance from Government.

2. Of the two Members specified in Regulation II, sub-head (vi), one shall be elected by the qualified electors in each of the following groups of districts :—

Group (1)—Ganjám, Vizagapatam, Gódavari, Kistna, Guntúr, Nellore, Madras, Chingleput, North Arcot, Cuddapah, Kurnool, Bellary and Anantapur.

Group (2)—Salem, Coimbatore, South Canara, Malabar (including Anjengo and Tangasseri), the Nilgiris, South Arcot, Tanjore, Trichinopoly, Madura and Tinnevelly.

Qualifications of electors.

3. The election shall be made by all Muhammadans qualified to vote and having a place of residence within the electoral area concerned, who—

(1) are landholders possessing an annual income from land situated within the Presidency of Fort St. George of not less than five hundred rupees ; or

(2) pay on their own account income-tax on an income of not less than two thousand rupees ; or

(3) are Ordinary or Honorary Fellows or registered Graduates of the University of Madras ; or

(4) are holders of any title conferred or recognized by the Government or members of the Order of the Star of India or the Order of the Indian Empire or holders of the Kaisar-i-Hind Medal ; or

(5) are in receipt of pensions for service as gazetted or commissioned officers of Government.

4. For the purposes of rule 3 the annual income of a zamindár from his estate shall be taken to be the annual rental upon which he pays land-cess under the Madras Local Boards Act, 1884, excluding the peshkásh or similar charge payable by him to Government.

5. (1) For the purposes of rule 3 the annual income of landholders other than zamindárs shall be calculated as follows :—

(*a*) the income of ryotwári holders cultivating their own lands shall be taken to be equal to twice the assessment fixed on the land so cultivated ;

(*b*) the income of ryotwári holders who have leased their lands to tenants shall be taken to be equal to the assessment fixed on the land so leased ;

(*c*) the income of holders of ináms shall be taken to be equal to the rental value on which the land-cess is calculated under section 64 of the Madras Local Boards Act, 1884, excluding the peshkásh, jodi, quit-rent or similar charge payable to Government ;

(*d*) the income of tenants and kánomdars under ryotwári holders shall be taken to be equal to the assessment fixed on the land ;

(*e*) the income of tenants of zamindárs and inamdárs shall be taken to be equal to two-thirds of the annual rent value of the lands held by such tenants as determined under section 64 of the Madras Local Boards Act, 1884 :

Provided that to the income of tenants holding land free of rent or at a favourable rent calculated as provided in sub-clause (*d*) or (*e*) above, as the case may be, there shall be added the difference between the rent (if any) actually charged and the rent ordinarily payable for land of a similar description and with similar advantages in the village or in neighbouring villages ; and,

(*f*) in the case of sub-tenants, the income shall be taken to be equal to half the income as determined for the superior tenant.

(2) If, in any case, a separate water-rate or second-crop charge is payable to Government or to a superior holder in respect of any land, such water-rate and charge shall be regarded as forming part of the assessment or rental value, as the case may be, in calculating income under this rule :

Provided that a landholder who collects water-rate or second-crop charge from another person on behalf of Government is not entitled to have anything so collected taken into account when his income is fixed under this rule or rule 4.

(3) If, in any case, it is not possible to calculate income from land in accordance with rule 4 or sub-rule (1) of this rule, the Collector shall determine such income for the purposes of these rules upon the best information available.

(4) In all cases under this rule and rule 4, the income shall be calculated on the figures of the latest fasli year for which figures are available or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

6. In calculating the annual income of all landholders for the purposes of rule 3—

(*a*) income derived from an estate shall not be reckoned along with income derived from any land other than an estate, but it may be reckoned along with a málikhána allowance ;

(*b*) subject to the provisions of clause (*a*), incomes derived from more than one parcel of land, however held, may be reckoned together : Provided that, in the case of land referred to in rule 13, sub-rule (2), and rule 14, the income derived therefrom shall not be added to any income derived from other land unless the holder of the latter has been nominated, or is entitled, under those rules to represent the joint holders or family in respect of the former land ;

(*c*) in no case shall income derived from a portion of an estate which is not separately registered in the office of a Collector be taken into account, nor shall income derived from land be reckoned with income derived from any other source.

7. (1) No person shall be entitled to vote except in the district in which he resides, and he shall not be entered in the electoral roll under any other district.

(2) In the case of a person or firm claiming to vote on the ground of payment of income-tax, such person or firm shall vote only in the district which is determined for the purposes of the Indian Income-Tax Act, 1886, as the district in which he resides or in which the firm has its principal place of business, as the case may be.

8. No person shall give more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

9. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll for each electoral area in Form 1 annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the electoral roll in the local official Gazette, a copy thereof shall be published in the official Gazette of every district and shall also be posted in a conspicuous place at the office of every Collector.

10. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

11. A person who is nominated, or entitled, under rule 13, sub-rule (2), rule 14, 15 or 16, to represent a group of joint owners, a joint family, or a firm, and who is himself possessed of a

personal qualification or of a separate property qualification which entitles him to vote, may elect whether to be entered in the electoral roll in his representative or separate capacity, and he shall be entered in one such capacity only and under the district in which he resides.

12. Except as expressly provided in these rules, no person claiming to vote on account of the possession of income derived from land for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the land from which the income is derived stands registered in such register in his name.

13. (1) Where land is registered in the name of a single holder, the name of that holder alone shall be entered in the electoral roll.

(2) Where several persons are registered as joint holders of land, a majority of the adult male persons so registered may nominate in writing any one of themselves who is qualified to vote to be their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of such land.

Explanation.—Land registered under section 14 of the Malabar Land Registration Act, 1896, in the joint names of the registered proprietor and another person is not land registered in the names of joint holders within the meaning of this rule.

14. Where the property of a tarwád or similar joint family under the Marumakkatáyam or Aliyasantána law is registered in the name of a woman and would, but for the disqualification of sex, qualify the registered holder to vote, the senior male member of the family shall, if he is qualified to vote, be entered in the electoral roll under the district in which he resides as the representative of the family for voting purposes ; and, if the senior male member is not so qualified, no entry shall be made in the roll in respect of the property possessed by the family.

15. Where a joint family is assessed as such to pay income-tax, a majority of the adult male members of the family may nominate in writing any one of themselves who is qualified to vote as their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of the payment of income-tax.

16. Where a firm, composed solely of Muhammadan members, pays income-tax on the prescribed minimum income, a majority of the adult male members of the firm may nominate in writing one of themselves who is qualified to vote on behalf of the firm, and his name only shall be entered in the electoral roll under the district in which he resides, and if such nomination is not made, no entry shall be made in the electoral roll in respect of the firm.

17. Except as hereinbefore provided, no person shall be entitled to have his name entered in the electoral roll unless he possesses the prescribed property qualifications in his own personal right and not in a fiduciary capacity.

Revision of electoral roll.

18. (1) The electoral roll published under rule 9 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Collector may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Collector, after such enquiry as he may think necessary, may order any addition to or alteration in the electoral roll, and the orders passed by him in revision shall be final.

(4) As soon as may be after the expiry of the period fixed by the Local Government as that within which revision must be completed, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 9.

Qualifications and nomination of candidates.

19. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector of the electoral area concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer to the Returning Officer by registered post.

20. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

21. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 19, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

22. (1) If in any electoral area one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

23. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

24. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

25. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

26. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 25 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

27. (*1*) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

28. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

29. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the names of the candidates elected shall be published in the local official Gazette.

Appointment of dates, times and places.

30. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 9 ;

(*b*) the attestation of nomination papers under rule 19 ;

(*c*) the scrutiny of nomination papers under rule 21 ;

(*d*) the attestation of voting papers under rule 23 ; and

(*e*) the counting of votes under rule 26.

FORM I.

(*See rule 9.*)

ELECTORAL ROLL OF MUHAMMADANS FOR

Serial No.	Name of district.	Name of elector.	Name of elector's father, kárnavan or ejmán.	Address.	Qualifications.	Whether representing a joint family or joint landowners.	Whether representing a firm.	Serial No. on previous electoral roll.
1	2	3	4	5	6	7	8	9

FORM II.

(See rule 19.)

NOMINATION PAPER.

1. Name of candidate.
2. Name of father, kárnavan or ejmán.
3. Age.
4. Address.
4. Place of residence.
6. District under which the name of the candidate is entered in the electoral roll.
7. Number borne by candidate on the electoral roll.
8. Signature of proposer.
9. Signature of seconder.

Signed in my presence on the day of 19 by and who are personally known to me (*or* who have been identified to my satisfaction) as voters Nos. and on the electoral roll of Muhammadans for for the election of an Additional Member to the Legislative Council of the Governor of Fort St. George.

STATION.

DISTRICT. *Attesting Officer.*

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on the day of , and between the hours of and , at the office of

FORM III.

(*See rule 23.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the Muhammadan community in the electoral area No. . The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Muhammadans for for the election of an Additional Member to the Legislative Council of the Governor of Fort St. George.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 24.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE VII.

[*See Regulation II, sub-heads (vii) and (viii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MADRAS CHAMBER OF COMMERCE AND THE MADRAS TRADES ASSOCIATION, RESPECTIVELY.

1. The Members specified in Regulation II, sub-heads (vii) and (viii), shall be elected by the members of the Madras Chamber of Commerce and the Madras Trades Association, respectively.

2. Any person, not ineligible for election under these Regulations, who is at the date of the election a member of the said Chamber or Association, as the case may be, shall be eligible for election.

3. On or before such date as may be appointed by the Governor in this behalf, the said Chamber and Trades Association shall respectively elect the members aforesaid in such manner as a Trustee for the Port of Madras is for the time being elected by the said Chamber and Trades Association respectively under section 9 of the Madras Port Trust Act, 1905.

4. The Chairman of the said Chamber or Trades Association, as the case may be, shall forthwith report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

SCHEDULE VIII.

[*See Regulation II, sub-head (ix), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE PLANTING COMMUNITY.

1. On receipt of an intimation that an election is to be held, the Secretary to the United Planters' Association of Southern India shall without delay send, by registered post, to the Secretary to each affiliated Planters' Association a notice that an election is to be held on or before such date as the Governor may appoint in this behalf.

2. Upon receipt of the notice referred to in rule 1, the Secretary to each of the said Associations shall without delay send to each member of his Association a notice that a meeting of the members of the affiliated Association will be held at a specified place and time and on a specified date, which date shall be not less than ten clear days before the date referred to in rule 1.

3. (1) At the meeting held under rule 2 each member of the affiliated Association shall be entitled to give one vote for one candidate for election to the Madras Legislative Council.

(2) Any person not ineligible for election under these Regulations who is a member of one of the Planters' Associations affiliated to the United Planters' Association of Southern India, shall be eligible for election.

(3) The voter shall record his vote on a voting paper, whereon he shall write the name of the person voted for and his own full signature, and shall place the voting paper in a ballot-box.

(4) As soon as, in the opinion of the member presiding at the meeting, sufficient time has elapsed to enable the voting to be completed, he shall ask whether any member present has not yet voted, and shall call upon such member to vote within such time as the member presiding may fix.

(5) If there is no member present who has not voted, or on the expiry of the time so fixed, the presiding member shall open the ballot-box, count the votes and, after rejecting any voting papers not prepared in accordance with this rule, shall announce the result of the ballot to the meeting.

(6) In case of an equality of votes for two or more persons, the presiding member shall have a second, or casting, vote.

4. Immediately after the conclusion of the ballot under rule 3, the Secretary to the affiliated Association shall report the result thereof by registered post to the Secretary to the United Planters' Association of Southern India.

5. Upon receipt of the reports under rule 4 from the affiliated Associations, the Secretary to the United Planters' Association of Southern India shall give to the vote of each of the affiliated Associations the value assigned to it by the rules framed by the United Planters' Association of Southern India to regulate voting at general meetings of that body, and shall determine which candidate has received the largest number of votes as so valued.

6. In the event of two or more candidates for election receiving an equal number of votes as determined under rule 5, the Secretary to the United Planters' Association of Southern India shall report the fact without delay to the Chairman of the said Association or, in his absence, to the Vice-Chairman of that Association, and the Chairman or Vice-Chairman, as the case may be, shall have a casting vote.

7. The voting papers given in at the meetings held under rule 3 shall be sealed up and retained by the Secretaries to the affiliated Associations for six months, and shall then be destroyed.

8. The Secretary to the United Planters' Association of Southern India shall forthwith report by registered post the name of the person elected to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

No. IV.—Legislative Council of the Governor of Bombay.

The 15th November 1909.

No. 16.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor of Bombay :

REGULATIONS FOR THE NOMINATION AND ELECTION OF ADDITIONAL MEMBERS OF THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF BOMBAY.

Number of Members.

I. (1) The Additional Members of the Legislative Council of the Governor of Bombay, other than the Advocate General or other officer acting in that capacity, shall ordinarily consist of—

A.—Members elected by the classes specified in Regulation II, who shall be twenty-one in number ;

B.—Members nominated by the Governor, who shall not exceed twenty-one in number and of whom not more than fourteen may be officials.

(2) In addition to the forty-two Additional Members above specified, the Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Additional Members of the Council :

Provided that it shall not be lawful for the Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

Elected Members.

II. The twenty-one elected Members specified in Regulation I shall be elected as follows, namely :—

(i) By the Municipal Corporation of the City of Bombay	.. 1 Member
(ii) By the University of Bombay	.. 1 Member.
(iii) By the Sardars of the Deccan	.. 1 Member.
(iv) By the Sardars of Gujarat	.. 1 Member.
(v) By the Jagirdars and Zamindars of Sind ..	.. 1 Member.
(vi) By the Municipalities.	.. 4 Members.
(vii) By the District Local Boards	.. 4 Members.
(viii) By the Muhammadan community	.. 4 Members.
(ix) By the Indian commercial community ..	.. 1 Member.
(x) By the Bombay Chamber of Commerce ..	.. 1 Member.
(xi) By the Karachi Chamber of Commerce ..	.. 1 Member
(xii) By the Millowners' Association of Bombay and the Millowners' Association of Ahmedabad, alternately ..	.. 1 Member.

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject, or

(*b*) is a female, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind, or

(*d*) is under twenty-five years of age, or

(*e*) is an uncertificated bankrupt or an undischarged insolvent, or

(*f*) has been dismissed from the Government service, or

(*g*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted or the offender pardoned, or

(*h*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*i*) has been declared by the Governor in Council to be of such reputation and antecedents that his election would, in the opinion of the Governor in Council, be contrary to the public interest:

Provided that in cases (*f*), (*g*), (*h*) and (*i*) the disqualification may be removed by an order of the Governor in Council in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person —

(*a*) is a female, or

(*b*) is a minor, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind.

Oath of office.

VII. Every person who is elected or nominated under these Regulations to be a Member of Council shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ a Member of the Legislative Council of the Governor of Bombay, do solemnly swear (*or* affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person,—

(*a*) not being eligible for election, is elected under these Regulations, or

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*c*), (*e*), (*f*), (*g*) or (*h*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Governor in Council may consider reasonable,

the Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person, within such time as may be prescribed by such notification, or shall nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Governor may nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Secretary to the Legislative Council of the Governor of Bombay within seven days from the date of the publication of the result of such elections in the local official Gazette, choose, or in his default the Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who except for the said votes would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

Term of office.

X. (1) Save as provided in clause (2), and subject to the provisions of Regulation XVIII, the term of office of an Additional Member shall be three years from the date of his election or nomination, as the case may be:

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II, or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Governor may nominate any person to the vacancy :

Provided that when a casual vacancy occurs in the case of an elected Member the election shall always be made by the same electorate as that which elected the Member whose place is to be filled and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Governor may nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Governor of Bombay shall be exercised only at meetings at which—

(*a*) the Governor, or

(*b*) the Vice-President appointed by the Governor under section 4 of the Indian Councils Act, 1909, or,

(*c*) in the case of the discussions referred to in section 5 of the said Act, a Member appointed to preside in pursuance of a rule made under that section,

and ten or more Members of the Council are present.

Corrupt practices.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

Disputes as to validity of elections.

And a corrupt practice shall be deemed to be committed by a candidate, if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Governor in Council shall, after such enquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Governor may nominate any person who is eligible for election by such electorate.

Finality of decisions.

XVII. The decision of the Governor in Council on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[*See Regulation II, sub-head (i), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUNICIPAL CORPORATION OF THE CITY OF BOMBAY.

1. The Member specified in Regulation II, sub-head (i), shall be elected by the members of the Municipal Corporation of the City of Bombay.

2. Any person not ineligible for election under these Regulations who—

(*a*) is at the date of the election a member of the Municipal Corporation of the City of Bombay, or

(*b*) has served at least for three years as a member of that corporation,

shall be eligible for election.

3. On or before such date as may be appointed by the Governor in this behalf, the election shall be made by the Municipal Corporation of the City of Bombay in the same manner as though such election was an item of municipal business and the Corporation had met for the despatch of municipal business at a special meeting called by the President under section 36, clause (*d*), of the City of Bombay Municipal Act, 1888, and the election shall be decided in accordance with section 36, clause (*q*), of the said Act.

4. The President shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

SCHEDULE II.

[*See Regulation II, sub-head (ii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE UNIVERSITY OF BOMBAY.

Preliminary.

1. "Returning Officer" means the Registrar of the University of Bombay, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

Qualification of electors.

2. The Member specified in Regulation II, sub-head (ii), shall be elected by the votes of the members of the Senate and Honorary Fellows of the University of Bombay having a place of residence in India (hereinafter referred to as electors).

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector whose address in India has been registered at the office of the Returning Officer:

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as foresaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

6. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India whose address has been registered at the office of the Returning Officer one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose, and after recording his vote on the voting paper in the manner prescribed therein deliver the same to the Returning Officer.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein :

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions therein or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3 ;

(*b*) the scrutiny of nomination papers under rule 5 ;

(*c*) the sending of voting papers under rule 6 ;

(*d*) the recording of votes under rule 7 ; and

(*e*) the counting of votes under rule 10.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Returning Officer.

Instructions.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(See rule 6.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the members of the Senate and Honorary Fellows of the University of Bombay. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting papers shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.

6. Votes may be recorded in the presence of the Returning Officer between the hours of and on the day of 19 , at the .

I hereby declare that I am a member of the Senate (*or* an Honorary Fellow) of the University of Bombay.

(Signed)

(*Fold on this line.*)

SCHEDULE III.

[*See Regulation II, sub-head (iii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE SARDARS OF THE DECCAN.

Preliminary.

1. (1) " Attesting Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules; and includes any officer deputed for the time being by the Attesting Officer to perform his duties ; and

(2) " Returning Officer " means the Agent to the Sardars of the Deccan, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualification of electors.

2. The election of the Member specified in Regulation II, sub-head (iii), shall be made by all persons who are qualified to vote and whose names appear in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 2363, dated the 23rd day of July 1867.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations and belonging to the class specified in rule 2 may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post to each elector on or before such date as may be appointed by the Local Government in this behalf.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder in the manner prescribed on the face of the form, and shall be despatched by registered post to the Returning Officer in accordance with the instructions contained therein :

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

6. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

7. (1) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall sign and send to each elector by registered post a voting paper in Form II annexed to this Schedule, in which the name of the elector and the names of the candidates duly nominated shall be entered at the places respectively provided therefor :

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the date appointed for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall attend for the purpose on such date and at such time as may be appointed by the Local Government in this behalf with the voting paper sent to him before an Attesting Officer, who shall provide him with an envelope for enclosing the voting paper.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

8. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form III annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3 ;

(*b*) the scrutiny of nomination papers under rule 5 ;

(*c*) the sending of voting papers under rule 7 ;

(*d*) the attestation of voting papers under rule 7 ; and

(*e*) the counting of votes under rule 10.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Returning Officer.

Instructions.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(See rule 7.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Sardars of the Deccan. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

Name of elector—

I hereby declare that I am the person whose name appears as [ ] on the list now in force under the Resolution of the Government of Bombay in the Political Department, No. 2363, dated the 23rd day of July 186

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM III.

(*See rule 8.*)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE IV.

[*See Regulation II, sub-head (iv), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE SARDARS OF GUJARAT.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means the Commissioner of the Northern Division, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualification of electors.

2. The election of the Member specified in Regulation II, sub-head (iv), shall be made by all persons who are qualified to vote and whose names appear in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 6265, dated the 21st day of September 1909.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations and belonging to the class specified in rule 2 may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post to each elector on or before such date as may be appointed by the Local Government in this behalf.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder in the manner prescribed on the face of the form, and shall be despatched by registered post to the Returning Officer in accordance with the instructions contained therein:

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply wish the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

5. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

7. (1) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall sign and send to each elector by registered post a voting paper in Form II annexed to this Schedule, in which the name of the elector and the names of the candidates duly nominated shall be entered at the places respectively provided therefor:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the date appointed for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall attend for the purpose on such date and at such time as may be appointed by the Local Government in this behalf with the voting paper sent to him before an Attesting Officer, who shall provide him with an envelope for enclosing the voting paper.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

8. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form III annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer s hall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as pro vided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3 ;

(*b*) the scrutiny of nomination papers under rule 5 ;

(*c*) the sending of voting papers under rule 7 ;

(*d*) the attestation of voting papers under rule 7 ; and

(*e*) the counting of votes under rule 10.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of second

Returning Officer.

Instructions.

Nomination papers which are not received by the Returning Officer before the day of , 19 shall be invalid.

FORM II.

(See rule 7.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Sardars of Gujarat. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

Name of elector ..

I hereby declare that I am the person whose name appears as on the list now in force under the Resolution of the Government of Bombay in the Political Department, No. 6265, dated the 21st day of September 1909.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X Y.,

Attesting Officer.

FORM III.

(*See rule* 8.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

CHEDULE V.

[*See Regulation II, sub-head (v), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE JAGIRDARS AND ZAMINDARS OF SIND.

Preliminary.

1. (1) "Attesting Officer" for a district means the Collector or Deputy Commissioner of the district, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means the Commissioner in Sind, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. The election of the Member specified in Regulation II, sub-head (v), shall be made by all persons qualified to vote who are—

(*a*) Jagirdars of the first or second class, or

(*b*) Zamindars who for the three years preceding the preparation of the electoral roll have paid not less than one thousand rupees per annum as ordinary land-revenue:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the Sind Gazette.

(2) As soon as may be after the publication of the roll in the Sind Gazette, a copy thereof shall be posted in a conspicuous place at the office of the Collector or Deputy Commissioner of every district in Sind.

(3) The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

4. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Returning Officer may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll.

(3) On such revision the Returning Officer, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the Returning Officer to the Local Government, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Local Government may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

5. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post to each elector on or before such date as may be appointed by the Local Government in this behalf.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder in the manner prescribed on the face of the form, and shall be despatched by registered post to the Returning Officer in accordance with the instructions contained therein :

Provided that no elector shall subscribe more than one nomination paper.

6. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

7. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 5, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

8. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

9. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district against which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in his behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

10. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following, the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

11. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

12. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 11 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper; it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

13. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

14. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

15. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

16. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 3 ;

(*b*) the sending of nomination papers under rule 5 ;

(*c*) the scrutiny of nomination papers under rule 7 ;

(*d*) the attestation of voting papers under rule 9 ; and

(*e*) the counting of votes under rule 12.

FORM I.

(See rule 3.)

ELECTORAL ROLL OF THE JAGIRDARS AND ZAMINDARS OF SIND FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF BOMBAY.

Serial No. on roll.	Name of district.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

FORM II.

(*See rule 5.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Returning Officer.

Instructions.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM III.

(See rule 9.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Jagirdars and Zamindars of Sind. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Jagirdars and Zamindars of Sind for the election of an Additional Member to the Legislative Council of the Governor of Bombay.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(*See rule 10.*)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE VI.

[*See Regulation II, sub-heads (vi) and (vii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY MUNICIPALITIES AND DISTRICT LOCAL BOARDS.

Preliminary.

1. "Returning Officer" means the Commissioner of the Division for which the election is held, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the four Members specified in Regulation II, sub-head (vi) and sub-head (vii), respectively, one shall be elected by each of the following groups of Municipalities or District Local Boards, namely :—

By the Municipalities of the Southern Division	1 Member.
By the Municipalities of the Northern Division	1 Member.
By the Municipalities of the Central Division	1 Member.
By the Municipalities of the Sind Division	1 Member.
By the District Local Boards of the Southern Division	1 Member.
By the District Local Boards of the Northern Division	1 Member.
By the District Local Boards of the Central Division	1 Member.
By the District Local Boards of the Sind Division	1 Member.

Electorate.

3. (1) The Member to be elected by each of the groups of Municipalities or District Local Boards mentioned in rule 2 shall be elected by the votes of delegates to be selected from among themselves in the manner hereinafter prescribed by the non-official members of all the Municipalities or District Local Boards of the group.

(2) The number of delegates which Municipalities or District Local Boards are entitled to select shall be in accordance with the following scale, namely :—

Municipalities.

where the population of the municipality—	Number of delegates.
exceeds 5,000 but does not exceed 10,000	1
do. 10,000 do. 20,000	2
and for every 10,000 or part thereof in excess of 20,000	1

District Local Boards.

where the population of the district—	Number of delegates.
does not exceed 100,000	1
where it exceeds 100,000 but does not exceed 200,000	2
and for every 100,000 or part thereof in excess of 200,000	1

(3) The population of each municipality or district shall be deemed to be that stated in the returns of the most recent official census.

Selection of delegates.

4. (1) On such date and at such time as may be appointed by the Local Government in this behalf, the non-official members of each Municipality or District Local Board shall meet for the purpose of selecting the number of delegates to which it may be entitled.

(2) The proceedings at such meeting shall be held as though the members of the Municipality or District Local Board, as the case may be, had met at a special general meeting held under section 26, clause (2), of the Bombay District Municipal Act, 1901, or at a special meeting held under section 32, clause (*a*), sub-head (1), of the Bombay Local Boards Act, 1884, as the case may be, and the representatives shall be selected by a majority of the members present in accordance with the provisions of the respective sections aforesaid as though such selection were an item of Municipal or District Local Board business.

5. Upon the completion of such selection the president or chairman shall without delay report to the Returning Officer in Form I annexed to this schedule the names and addresses of the delegates selected.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations who has a place of residence in the group for which he seeks election and either is a non-official member or has served at least three years as such a member of any Municipality or District Local Board in that group may be nominated as a candidate for election.

(2) Every nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the President to any such member of any Municipality or District Local Board of the group concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such members as proposer and seconder, and shall be attested in the manner prescribed on the face of the form by the President of one of the Municipalities or District Local Boards of the group concerned:

Provided that no such member shall subscribe more than one nomination paper.

(4) Nomination papers when duly subscribed and attested shall be despatched without delay by the President attesting the same by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 6, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

9. (1) If in any group one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

10. On or before such date as the Local Government may appoint in this behalf, the Returning Officer shall sign and send to each delegate by registered post a voting paper in Form III annexed to this Schedule, in which the name of the delegate and the names of the candidates duly nominated shall be entered at the places respectively provided therefor:

Provided that such a voting paper shall also be supplied to any delegate on his applying to the Returning Officer for the same on or before the date appointed for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by a delegate of his voting paper.

11. (1) On or before such date as may be appointed in this behalf, every delegate desirous of recording his vote shall, after filling up the voting paper in accordance with the instructions contained therein and causing his signature thereon to be attested in accordance with the same instructions by the President of the Municipality or District Local Board by which he was selected, deliver the same to such President, who shall thereupon send it to the Returning Officer by registered post.

(2) Neglect on the part of the delegate to comply with any of these instructions shall render the vote invalid.

Counting of votes and declaration of result.

12. (1) On receiving the voting papers, the Returning Officer shall examine them to see whether they have been correctly filled up.

(1) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every voting paper whether valid or invalid along the dotted line on the back, so as to conceal the names of the delegate and the President attesting the signature of the delegate, and shall seal down the portion thus folded with his official seal.

13. The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 12 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

14. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

16. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

17. The Local Government shall appoint, andshall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the selection of delegates under rule 4 ;

(*b*) the scrutiny of nomination papers under rule 8 ;

(*c*) the sending of voting papers under rule 10 ;

(*d*) the attestation of voting papers under rule 11 ; and

(*e*) the counting of votes under rule 13.

FORM I.

(*See rule 5.*)

RETURN OF DELEGATES.

Certified that at a meeting held on the day of , at , the following delegate (*or* delegates) was (*or* were) selected by the non-official members of the of

Serial No.	Name and father's name.	Address.

President (*or Chairman*).

FORM II.

(*See rule 6.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and who are personally known to me (*or* who have been identified to my satisfaction) as non-official members of the of being one of the included in group .

President of the

Instructions.

1. Nomination papers shall be attested by the President of one of the Municipalities or District Local Boards of the group making the election. Those not so attested shall be invalid.

2. Nomination papers which are not received by the Returning Officer before of the day of 19 shall be invalid.

FORM III.

(See rule 10.)

VOTING PAPER.

One Additional Member is to be elected to the L
Bombay by the Delegates selected by the Municipalities and District Local Boards of the Division. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each delegate has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the delegate shall sign the declaration on the back of the paper in the presence of the President of the Municipality or District Local Board by which he was selected, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the President on or before the day of 19 .

Name of Delegate

I hereby declare that I am a Delegate from the of for the election of an Additional Member to the Legislative Council of the Governor of Bombay by the Municipalities and District Local Boards of the Division.

C. N.,

Delegate.

(*Fold on this line.*)

Signed in my presence by the Delegate, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

President of

SCHEDULE VII.

[*See Regulation II, sub-head (viii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the four Members specified in Regulation II, sub-head (viii), one shall be elected by the qualified electors in each of the four following areas, hereinafter called Divisions:—

Division I.—The Southern Division.

Division II.—The Northern Division.

Division III.—The Central Division.

Division IV.—The City of Bombay.

Qualifications of electors.

3. The election shall be made by all Muhammadans qualified to vote and having a place of residence in the Division for which the election is being held who—

(*a*) hold alienated or unalienated land assessed at or of the assessable value of not less than one hundred, or in the City of Bombay of not less than two hundred, rupees; or

(*b*) pay on their own account income-tax on an income of not less than one thousand rupees per annum or, in the City of Bombay, two thousand rupees per annum; or

(*c*) are practising Advocates or Attorneys; or

(*d*) are holders of any title conferred or recognised by the Government or are members of the Order of the Star of India or of the Order of the Indian Empire or holders of the Kaisar-i-Hind Medal; or

(*e*) hold diplomas in medicine or engineering granted at least five years previously by any Institution in the British Empire recognised by the Local Government for this purpose; or

(*f*) are conciliators under the Deccan Agriculturists' Relief Act, 1879; or

(*g*) are Justices of the Peace or Honorary Magistrates; or

(*h*) are graduates of five years standing of any University in the British Empire:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published for each division by the Returning Officer in the local official Gazette.

(2) Where a firm or company is composed exclusively of persons who are Muhammadans, and such firm or company is qualified under rule 3, clause (*a*) or clause (*b*), the name of any person duly authorised in writing in this behalf by the firm or company shall be entered in the said roll as the representative, for the purposes of the roll, of such firm or company.

(3) In determining the eligibility of a landholder as an elector only land-revenue payable or assessable in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate and of the Chief Presidency Magistrate of Bombay.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Returning Officer may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll.

(3) On such revision the Returning Officer, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll, and his order shall be final.

(4) The electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election by the electors of the Division in which he resides.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed as proposer and seconder by two electors of the Division for which the election is being held, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer to the Returning Officer by registered post.

8. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed in each Division, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 7, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

10. (1) If in any Division one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

11. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district against which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

12. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse " rejected " on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers, sealed as provided by rule 13 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting and after the result has been declared by him the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

17. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

18. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 4;

(*b*) the attestation of nomination papers under rule 7;

(*c*) the scrutiny of nomination papers under rule 9;

(*d*) the attestation of voting papers under rule 11; and

(*e*) the counting of votes under rule 14.

FORM I.

(See rule 4.)

ELECTORAL ROLL OF MUHAMMADANS FOR THE $\frac{\text{DIVISION}}{\text{CITY OF BOMBAY}}$ FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF BOMBAY.

Serial No. on roll.	Name of district.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

FORM II.

(*See rule 7.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Muhammadans for the $\frac{\text{Division}}{\text{City of Bombay}}$ for the election of an Additional Member to the Legislative Council of the Governor of Bombay.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of 19 , and between the hours of and , at the office of .

FORM III.

(See rule 11.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Muhammadan community in the Division (*or* the City of Bombay). The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Muhammadans for the Division (*or* the City of Bombay) for the election of an Additional Member to the Legislative Council of the Governor of Bombay.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 12.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE VIII.

[*See Regulation II, sub-head (ix), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE INDIAN COMMERCIAL COMMUNITY.

Preliminary.

1. "Returning Officer" means the Secretary to the Legislative Council of the Governor of Bombay, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorate.

2. (1) The Member specified in Regulation II, sub-head (ix), shall be elected by the votes of delegates to be selected from among themselves in the manner hereinafter prescribed by the members of the bodies styled "the Indian Merchants' Chamber" and "the Bombay Native Piece-goods Merchants' Association."

(2) The number of delegates which each of the said bodies is entitled to select shall be ten.

Selection of delegates.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, each of the said two bodies shall meet at a special general meeting convened in accordance with its rules for the purpose of selecting delegates.

(2) Such selection shall be made in the manner laid down from time to time by the rules of the body concerned for carrying resolutions or recording decisions upon questions of business brought before it.

4. The Chairman of the body making the selection shall, on or before the date appointed by the Local Government in this behalf, report to the Returning Officer the names and addresses of the delegates selected (hereinafter referred to as electors), and the said names and addresses shall be published in such manner as the Local Government may prescribe.

Qualifications and nomination of candidates.

5. (1) Any person not ineligible for election under these Regulations who is and has been a member of one of the bodies aforesaid for at least one year at the date of the meeting at which delegates were selected by that body may be nominated as a candidate for election.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Returning Officer to any elector asking for hte same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by the Chairman of either of the said bodies in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers when duly filled in shall be despatched by registered post to the Returning Officer.

6. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination paper shall be rejected.

Scrutiny of nomination papers.

7. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 5, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

8. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

9. (1) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall sign and send to each elector by registered post a voting paper in Form II annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall obtain the signature of the Chairman of the body by which he was selected to the certificate thereto appended, and shall then fill up the voting paper in accordance with the instructions on the face thereof.

(3) The elector shall then send the voting paper enclosed in the envelope provided to the Returning Officer by registered post.

(4) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(5) Voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

10. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Chairman, and shall seal down the portion thus folded with his official seal.

11. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 10 to the candidates or their representatives.

(4) If any objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

12. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

13. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

14. The Returning Officer shall without delay publish the name of the candidate elected in the local official Gazette.

Appointment of dates, times and places.

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the selection of delegates under rule 3;
(*b*) the report of the selection of delegates under rule 4;
(*c*) the scrutiny of nomination papers under rule 7;
(*d*) the sending of voting papers under rule 9; and
(*e*) the counting of votes under rule 11.

FORM I.

(*See rule 5.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* have been identified to my satisfaction) as being Delegates selected by the

Chairman of

Instructions.

(1) Nomination papers shall be attested by the Chairman of the Indian Merchants' Chamber or the Bombay Native Piece-goods Merchants' Association. Those not so attested shall be invalid.

(2) Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(See rule 9.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Delegates selected by the Indian Commercial Community. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4 Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Chairman of the body by which he was selected and shall obtain his signature to the certificate printed on the back. Without such signature to the certificate the voting paper shall be invalid.

5. Voting papers after being duly filled up shall be sent by the elector enclosed in the envelope provided to the Returning Officer by registered post. Voting papers which are not received by the Returning Officer before the day of 19 shall be rejected.

I hereby declare that I am a Delegate from the for the election of an Additional Member to the Legislative Council of the Governor of Bombay by the Indian Commercial Community.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Chairman of

SCHEDULE IX.

[*See Regulation II, sub-heads* (*x*) *and* (*xi*), *and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE BOMBAY CHAMBER OF COMMERCE AND THE KARACHI CHAMBER OF COMMERCE, RESPECTIVELY.

1. The Members specified in Regulation II, sub-heads (x) and (xi), shall be elected by the members of the Bombay Chamber of Commerce and the Karachi Chamber of Commerce, respectively.

2. Any person not ineligible for election under these Regulations, who is at the date of the election a member of the said Bombay Chamber or Karachi Chamber, as the case may be, shall be eligible for election.

3. On or before such date as may be appointed by the Governor in this behalf—

(*a*) the Bombay Chamber of Commerce shall elect the Member specified in Regulation II, sub-head (x), in such manner as a Trustee for the Port of Bombay is for the time being elected by the said Chamber under section 6 of the Bombay Port Trust Act, 1879;

(*b*) the Karachi Chamber fCommer ce shall elect the Me mber specified in Regulation II, sub-head (xi), in such manner as a Trustee for the Port of Karachi is for the time being elected by the said Chamber under section 8 of the Karachi P ort Trust Act, 1886.

4. The President of the said Bombay Chamber or Karachi Chamber, as the case may be, shall forthwith report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

SCHEDULE X.

[*See Regulation II, sub-head (xii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MILLOWNERS' ASSOCIATION OF BOMBAY AND THE MILLOWNERS' ASSOCIATION OF AHMEDABAD.

1. The Member specified in Regulation II, sub-head (xii), shall be elected alternately by the Millowners' Association of Bombay and the Millowners' Association of Ahmedabad :

Provided that the Millowners' Association of Bombay shall have the first right of election.

2. Any person not ineligible for election under these Regulations who is and has been at the date of the election a member for one whole year of the body by which the election is being made shall be eligible for election.

3. On or before such date as may be appointed by the Governor in this behalf, the election shall be made by a majority of votes of the members in the manner laid down from time to time in the rules of the Association making the election for carrying resolutions or recording decisions upon questions of business brought before it.

4. The Chairman of the Association shall forthwith report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

No. V.—Legislative Council of the Lieutenant-Governor of Bengal.

(*Vide also* No. XII.)

The 15th November 1909.

No. 17.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Members of the Legislative Council of the Lieutenant-Governor of Bengal:

REGULATIONS FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF BENGAL.

Number of Members.

I. (1) The Members of the Legislative Council of the Lieutenant-Governor of Bengal shall ordinarily consist of—

A.—Members elected by the classes specified in Regulation II, who shall be twenty-six in number;

B.—Members nominated by the Lieutenant-Governor, with the sanction of the Governor General, who shall not exceed twenty-two in number, and of whom—

(*a*) not more than seventeen may be officials, and

(*b*) two shall be non-official persons to be selected, one from the Indian commercial community and one from the planting community.

(2) In addition to the forty-eight Members above specified, the Lieutenant-Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Members of the Council:

Provided that it shall not be lawful for the Lieutenant-Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

Elected Members.

II. The twenty-six elected Members specified in Regulation I shall be elected as follows, namely:—

(i) By the Corporation of Calcutta	1 Member.
(ii) By the University of Calcutta	1 Member.
(iii) By the Municipal Commissioners	6 Members.
(iv) By the District Boards	6 Members.
(v) By the Landholders	5 Members.
(vi) By the Muhammadan community	4 Members.
(vii) By the Bengal Chamber of Commerce	2 Members.
(viii) By the Calcutta Trades Association	1 Member.

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject, or

(*b*) is a female, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind, or

(*d*) is under twenty-five years of age, or

(*e*) is an uncertificated bankrupt or an undischarged insolvent, or

(*f*) has been dismissed from the Government service, or

(*g*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure,

such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(*h*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*i*) has been declared by the Lieutenant-Governor to be of such reputation and antecedents that his election would, in his opinion, be contrary to the public interest :

Provided that in cases (*f*), (*g*), (*h*) and (*i*) the disqualification may be removed by an order of the Lieutenant-Governor in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(*a*) is a female, or

(*b*) is a minor, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ a Member of the Legislative Council of the Lieutenant-Governor of Bengal, do solemnly swear (*or* affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person,—

(*a*) not being eligible for election, is elected under these Regulations, or,

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*c*), (*e*), (*f*), (*g*) or (*h*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Lieutenant-Governor may consider reasonable, the Lieutenant-Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person, within such time as may be prescribed by such notification, or shall with the sanction of the Governor General, nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Lieutenant-Governor may, with the like sanction, nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Chief Secretary to the Government of Bengal, within seven days from the date of the publication of the result of such elections in the local official Gazette. choose, or in his default the Lieutenant-Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who, except for the said votes, would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

X. (1) Save as provided in clause (2) and subject to the provisions of Regulation XVIII, the term of office of a Member, shall be three years from the date of his election or nomination, as the case may be: Term of office.

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Lieutenant-Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office as long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification. Vacancies.

(2) When a vacancy occurs in the case of a nominated Member, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person to the vacancy:

Provided that when a casual vacancy occurs in the case of an elected Member, the election shall always be made by the same electorate as that which elected the Member whose place is to be filled and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Lieutenant-Governor may, with the like sanction, nominate at his discretion any person who is eligible for election by such electorate. Failure to elect.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Lieutenant-Governor of Bengal shall be exercised only at meetings at which— Quorum.

(*a*) the Lieutenant-Governor, or

(*b*) the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909, or,

(*c*) in the case of the discussions referred to in section 5 of the said Act, a Member appointed to preside in pursuance of a rule made under that section,

and ten or more Members of the Council are present.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected. Corrupt practices.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination, or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Lieutenant-Governer shall, after such enquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person who is eligible for election by such electorate.

Finality of decisions.

XVII. The decision of the Lieutenant-Governor on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Lieutenant-Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[*See Regulation II, sub-head (i), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE CORPORATION OF CALCUTTA.

1. The Member specified in Regulation II, sub-head (i), shall be elected by the Commissioners of the Corporation of Calcutta in accordance with the procedure hereinafter prescribed.

2. On or before such date as may be appointed by the Local Government in this behalf, a special meeting of the Corporation shall be convened by the Chairman of the Corporation for the purpose of the election:

Provided that not less than fifteen clear days before the date fixed for such meeting the Chairman shall send to each Commissioner a written notice informing him of the time and place fixed for such meeting.

3. (1) Any person not ineligible for election under these Regulations, who is a Commissioner of the Corporation, may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Chairman to every Commissioner applying for the same.

(3) Each nomination paper shall be subscribed by two Commissioners as proposer and seconder:

Provided that no Commissioner shall subscribe more than one nomination paper.

(4) Nomination papers which are not received by the Chairman at least seven clear days before the date fixed for the meeting shall be rejected.

5. (1) If one candidate only is duly nominated, the Chairman shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Chairman shall forthwith prepare a list of such candidates containing their names and addresses, and shall cause such list to be posted in a conspicuous place at his office.

6. At the meeting at which the election is held the Chairman shall read out the names of all nominated candidates.

7. The voting shall be by ballot, and each Commissioner shall have one vote only.

8. When the counting of the votes has been completed by the Chairman, he shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

9. Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Chairman and in such manner as he may determine.

10. The Chairman shall report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

11. Any of the functions assigned to the Chairman of the Corporation under this Schedule may be delegated by him to the Vice-Chairman or Deputy Chairman.

FORM I.

Nomination Papei

(See rule 3.)

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Instructions.

Nomination papers which are not received by the Chairman before the day 19 shall be rejected.

SCHEDULE II.

[*See Regulation II, sub-head (ii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE UNIVERSITY OF CALCUTT

Preliminary.

1. "Returning Officer" means the Registrar of the University of Calcutta, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

Qualification of electors.

2. The Member specified in Regulation II, sub-head (ii), shall be elected by the votes of the members of the Senate and Honorary Fellows of the University of Calcutta having a place of residence in India (hereinafter referred to as electors).

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector whose address in India has been registered at the office of the Returning Officer:

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

6. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India whose address has been registered at the office of the Returning Officer one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose, and after recording his vote on the voting paper in the manner prescribed therein deliver the same to he Returning Officer.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein:

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions therein or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the sending of nomination papers under rule 3;
(*b*) the scrutiny of nomination papers under rule 5;
(*c*) the sending of voting papers under rule 6;
(*d*) the recording of votes under rule 7; and
(*e*) the counting of votes under rule 10.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Returning Officer.

Instructions.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

17.

FORM II.

(See rule 6.)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of Bengal by the Members of the Senate and Honorary Fellows of the University of Calcutta. The following ( ) candidates have been duly nominated:—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.

6. Votes may be recorded in the presence of the Returning Officer between the hours of and on the day of 19 at the .

I hereby declare that I am a Member of the Senate (*or* an Honorary Fellow) of the University of Calcutta.

(*Signed*)

(*Fold on this line.*)

SCHEDULE III.

[*See Regulation II, sub-head (iii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY MUNICIPAL COMMISSIONERS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the six Members specified in Regulation II, sub-head (iii),—

(*a*) one shall be elected by the Municipal Commissioners of each of the following five Divisions, namely, the Presidency, Burdwan, Patna, Tirhut and Bhagalpur Divisions; and

(*b*) one shall be elected alternately by the Municipal Commissioners of the Chota Nagpur and Orissa Divisions, the former Commissioners having the first right of election:

Provided that the right of election conferred on Municipal Commissioners shall be exercised only by those Commissioners who represent Municipalities which are notified from time to time by the Local Government in the local official Gazette as having a local income amounting to not less than five thousand rupees per annum.

Explanation.—For the purpose of this rule, "local income" means the total income of a Municipality excluding the opening balance of the municipal fund, grants and contributions, and receipts under the Account Heads "Extraordinary" and "Debt".

3. (1) The election shall be made by the votes of delegates to be selected, in the manner hereinafter prescribed, by the Commissioners of the Municipalities in the said Divisions other than (*a*) the Chairman, if an official, and (*b*) the Commissioners appointed *ex officio*.

(2) Each delegate shall have the number of votes assigned to the municipality by the Commissioners of which he is selected in accordance with the following scale, namely:—

						Number of votes for each delegate.
			Rs.		Rs.	
Municipalities with a local income of		...	5,000	and less than	10,000	1
Ditto	ditto	...	10,000	ditto	20,000	2
Ditto	ditto	...	20,000	ditto	50,000	3
Ditto	ditto	...	50,000	ditto	1,00,000	4
and for every additional Rs. 50,000 or part thereof in excess of 1,00,000						1

(3) The number of votes to which each delegate is entitled on the said scale shall be notified from time to time by the Local Government in the local official Gazette.

Selection of delegates.

4. (1) On such date and at such time as may be appointed by the Local Government in this behalf, the Commissioners of each such Municipality other than (*a*) the Chairman, if an official, and (*b*) the Commissioners appointed *ex officio*, shall meet for the purpose of selecting a delegate.

(2) At such meeting the Attesting Officer shall attend and, after explaining the rules, shall sign and deliver to each Commissioner present a voting paper in Form I annexed to this Schedule and shall thereafter withdraw.

(3) The Commissioners present shall then proceed to elect from among themselves a Chairman, who shall call upon such Commissioners to nominate persons for selection.

(4) Any Commissioner may be nominated for selection as a delegate by any two other Commissioners of the same Municipality as proposer and seconder, and the names of all persons so nominated and their respective proposers and seconders shall thereupon be entered by the Chairman in a list which shall be read out and signed by him.

(5) If one candidate only is duly nominated, such candidate shall be deemed to be selected as delegate, and the Chairman shall forthwith inform the Attesting Officer of the name and address of such candidate.

(6) If more candidates than one are duly nominated, the Commissioners present, including the Chairman, shall record their votes in the manner prescribed in the voting paper and deliver the voting papers to the Chairman.

(7) The Chairman shall then inform the Attesting Officer, who shall thereupon return to the meeting, and the Chairman shall make over to him the list of candidates nominated together with the voting papers.

(8) The Attesting Officer shall then examine the voting papers and count the votes in the presence of the Commissioners, and shall mark "rejected" on voting papers which he rejects on the ground that they do not comply with the instructions on the voting paper.

(9) When the counting of the votes has been completed, the Attesting Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be selected.

(10) When an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared selected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Attesting Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Attesting Officer shall seal up the voting papers and list of nominations, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

(12) The Attesting Officer shall without delay report to the Returning Officer the names and addresses of the delegates selected (hereinafter referred to as electors), and the said names and addresses shall be published in such manner as the Local Government may prescribe.

Qualifications and nomination of candidates.

5. (1) Any person not ineligible for election under these Regulations and having a place of residence in the Division for the representation of the Municipalities of which he is a candidate may be nominated as a candidate for election if he is a Commissioner of any one of such Municipalities other than (*a*) the Chairman, if an official, or (*b*) a Commissioner appointed *ex officio*.

(2) Every nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any Commissioner qualified to vote for the selection of a delegate for the Division who may ask for the same.

(3) Every nomination paper shall be subscribed by two such Commissioners as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form :

Provided that no Commissioner shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and when duly attested by the Attesting Officer shall be despatched by him without delay by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

6. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 5, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

7. (1) If in any Division one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

No. V.—Bengal :—

Page 14. Rule 5 (1). By Notification, dated the 24th November, 1909 (*see* No. XII), the words "if he is a Commissioner" have been amended so as to run "if he is or has for any period aggregating three years been a Commissioner."

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(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

(3) On such date and at such time as the Local Government may appoint in this behalf, the electors desirous of recording their votes shall attend for the purpose at the office of the Returning Officer.

(4) The Returning Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates.

(5) The elector shall then sign the declaration on the back of the paper in the presence of the Returning Officer in accordance with the instructions on the face thereof, and the Returning Officer shall attest his signature in the manner prescribed by the same instructions.

(6) The elector shall then proceed to a place screened from observation, which shall be provided by the Returning Officer, and shall there record his vote on the voting paper in accordance with the instructions thereon, and shall then deliver it to the Returning Officer.

(7) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

Counting of votes and declaration of result.

8. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject, and mark "discarded" against any vote which he may discard, on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

(4) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(5) Every candidate may be present in person, or may send a representative duly authorised by him in writing, to watch the process of counting.

(6) The Returning Officer shall show the voting papers sealed as provided by sub-rule (3) to the candidates or their representatives.

(7) If an objection is made to any voting paper or vote on the ground that it does not comply with the instructions on the voting paper or to the rejection by the Returning Officer of a voting paper, or the discarding by him of any vote, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(8) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

(9) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(10) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

9. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

10. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the selection of delegates under rule 4;

(*b*) the attestation of nomination papers under rule 5;

(*c*) the scrutiny of nomination papers under rule 6;

(*d*) the attestation of voting papers under rule 7; and

(*e*) the counting of votes under rule 8.

FORM I.

(See rule 4.)

VOTING PAPER.

A Delegate is to be selected to vote for the election of a Member of the Legislative Council of the Lieutenant-Governor of Bengal on behalf of the Commissioners of the Municipality in the Division.

Serial No.	Names of candidates.	Vote.

Attesting Officer.

Instructions.

1. Each Commissioner shall enter the name of the candidate to whom he desires to give his vote.

2. Each Commissioner has one vote.

3. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

4. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

5. Before his vote is marked the Commissioner shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

No.

I hereby declare that I am the person whose name appears as [ ] No.
in the list of Commissioners of the Municipality of in the Division.

C. N.,

Commissioner.

FORM II.

(See rule 5.)

Nomination Paper.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as Municipal Commissioners of the Municipality (or Municipalities) of in the Division.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of 19 , and between the hours of and .

FORM III.

(*See rule 7.*)

VOTING PAPER.

A Member is to be elected to the Legislative Council of the Lieutenant-Governor of Bengal by the Delegates selected by the Municipal Commissioners in the Division. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. If an elector has more votes than one, he may give all his votes to one candidate, or may distribute them, in any manner he thinks fit, among all or any of the candidates.

2. He shall vote by placing or causing to be placed opposite the name of the candidate (*or* candidates) the mark × or as many such marks as the number of votes which he desires to give to such candidate.

3. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of votes to which the elector is entitled.

4. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

5. The elector shall sign the declaration on the back of the paper in the presence of the Returning Officer, who shall attest his signature; without such attestation the voting paper shall be invalid.

No.

I hereby declare that I am the Delegate selected by the Municipal Commissioners of in the Division for the election of a Member to the Legislative Council of the Lieutenant-Governor of Bengal.

C. N.,

Election

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y

Returning Officer.

SCHEDULE IV.

[*See Regulation II, sub-head (iv), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE DISTRICT BOARDS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the six Members specified in Regulation II, sub-head (iv),—

(*a*) one shall be elected by the District Boards of each of the following five Divisions, namely, the Presidency, Burdwan, Patna, Tirhut and Bhagalpur Divisions, and

(*b*) one shall be elected alternately by the District Boards of the Chota Nagpur and Orissa Divisions, the latter Boards having the first right of election.

3. (1) The election shall be made by the votes of delegates to be selected in the manner hereinafter prescribed by the members of the Distict Boards of the said Divisions other than (*a*) the Chairman, if an official, and (*b*) the members appointed *ex officio*.

(2) Each delegate shall have the number of votes assigned to the District Board by which he is selected in accordance with the following scale:—

District Boards with an annual income (exclusive of opening balances and receipts from loans)		Rs.		Rs.		Number of votes for each delegate.
... ...	...	...	of less than	75,000	...	1
Ditto- ditto ...	exceeding	75,000	but less than	1,25,000	...	2
and for every additional	Rs. 50,000 or part	thereof	in excess of	1,25,000	...	1

(3) The number of votes to which each delegate is entitled on the said scale shall be notified from time to time by the Local Government in the local official Gazette.

Selection of delegates.

4. (1) On such date and at such time as may be appointed by the Local Government in this behalf, the members of each such District Board other than (*a*) the Chairman, if an official, and (*b*) the members appointed *ex officio*, shall meet for the purpose of selecting a delegate.

(2) At such meeting the Attesting Officer shall attend and after explaining the rules shall sign and deliver to each member of the Board present a voting paper in Form I annexed to this Schedule and shall thereafter withdraw.

(3) The members present shall then proceed to elect from among themselves a Chairman, who shall call upon such members to nominate persons for selection.

(4) Any member of such Board may be nominated for selection as a delegate by any two other members of the same Board as proposer and seconder, and the names of all persons so nominated and their respective proposers and seconders shall thereupon be entered by the Chairman in a list which shall be read out and signed by him.

(5) If one candidate only is duly nominated, such candidate shall be deemed to be selected as delegate, and the Chairman shall forthwith inform the Attesting Officer of the name and address of such candidate.

(6) If more candidates than one are duly nominated, the members present, including the Chairman, shall record their votes in the manner prescribed in the voting paper and deliver the voting papers to the Chairman.

(7) The Chairman shall then inform the Attesting Officer, who shall thereupon return to the meeting, and the Chairman shall make over to him the list of candidates nominated together with the voting papers.

(8) The Attesting Officer shall then examine the voting papers and count the votes in the presence of the members, and shall mark "rejected" on voting papers which he rejects on the ground that they do not comply with the instructions on the voting paper.

(9) When the counting of the votes has been completed, the Attesting Officer shall forthwith declare the candidate to whom the largest number of votes have been given to be selected.

(10) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared selected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Attesting Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Attesting Officer shall seal up the voting papers and list of nominations, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

(12) The Attesting Officer shall without delay report to the Returning Officer the names and addresses of the delegates selected (hereinafter referred to as electors), and the said names and addresses shall be published in such manner as the Local Government may prescribe.

Qualifications and nomination of candidates.

5. (1) Any person not ineligible for election under these Regulations and having a place of residence in the Division for the representation of the District Boards of which he is a candidate may be nominated as a candidate for election if he is a member of any one of such District Boards other than (*a*) the Chairman, if an official, or (*b*) a member appointed *ex officio*.

(2) Every nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any member of a District Board qualified to vote for the selection of a delegate for the Division who may ask for the same.

(3) Every nomination paper shall be subscribed by two such members as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no member shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and when duly attested by the Attesting Officer shall be despatched by him without delay by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer on or before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

6. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 5, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

7. (1) If in any Division one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

(3) On such date and at such time as the Local Government may appoint in this behalf, the electors desirous of recording their votes shall attend for the purpose at the office of the Returning Officer.

(4) The Returning Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates.

(5) The elector shall then sign the declaration on the back of the paper in the presence of the Returning Officer in accordance with the instructions on the face thereof, and the Returning Officer shall attest his signature in the manner prescribed by the same instructions.

(6) The elector shall then proceed to a place screened from observation, which shall be provided by the Returning Officer, and shall there record his vote on the voting paper in accordance with the instructions thereon and shall deliver it to the Returning Officer.

(7) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

No. V.—BENGAL :—

Page 24. Rule 5 (1). By Notification, dated the 24th November, 1909 (*see* No. XII), the words "if he is a Member" have been amended so as to run "if he is or has for any period aggregating three years been a Member."

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Counting of votes and declaration of result.

8. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject, and mark "discarded" against any vote which he may discard, on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

(4) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(5) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(6) The Returning Officer shall show the voting papers sealed as provided by sub-rule (3) to the candidates or their representatives.

(7) If an objection is made to any voting paper or vote on the ground that it does not comply with the instructions on the voting paper or to the rejection by the Returning Officer of a voting paper, or the discarding by him of any vote, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(8) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

(9) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(10) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

9. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

16. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the selection of delegates under rule 4;

(*b*) the attestation of nomination papers under rule 5;

(*c*) the scrutiny of nomination papers under rule 6;

(*d*) the attestation of voting papers under rule 7; and

(*e*) the counting of votes under rule 8.

FORM I.

(*See rule 4.*)

VOTING PAPER.

A Delegate is to be selected to vote for the election of a Member of the Legislative Council of the Lieutenant-Governor of Bengal on behalf of the District Board of in the Division.

Serial No.	Names of candidates.	Vote.

Attesting Officer.

Instructions.

1. Each member shall enter the name of the candidate to whom he desires to give his vote.

2. Each member has one vote.

3. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

4. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

5. Before his vote is marked the member shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

No.

I hereby declare that I am the person whose name appears as [ ] No.
in the list of members of the District Board of in the Division.

C. N.,

Member.

FORM II.

(See rule 5.)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as members of the District Board (*or* Boards) of in the Division.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by the Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before day of 19 and between the hours of and .

FORM III.

(*See rule 7.*)

VOTING PAPER.

A Member is to be elected to the Legislative Council of the Lieutenant-Governor of Bengal by the Delegates selected by the District Boards in the Division. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. If an elector has more votes than one, he may give all his votes to one candidate or may distribute them, in any manner he thinks fit, among all or any of the candidates.

2. He shall vote by placing, or causing to be placed, opposite the name of the candidate (*or* candidates) the mark × or as many such marks as the number of votes which he desires to give to such candidate.

3. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of votes to which the elector is entitled.

4. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

5. The elector shall sign the declaration on the back of the paper in the presence of the Returning Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

No.

I hereby declare that I am the Delegate selected by the District Board of in the Division for the election of a Member to the Legislative Council of the Lieutenant-Governor of Bengal.

C. N.,
Elector.

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,
Returning Officer.

SCHEDULE V.

[*See Regulation II, sub-head (v), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE LANDHOLDERS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. The five Members specified in Regulation II, sub-head (v), shall be elected by landholders as follows, namely:—

Group A—by the landholders of the Presidency and Burdwan Divisions.....two Members;

Group B—by the landholders of the Patna, Tirhut and Bhagalpur Divisions.....two Members;

Group C—by the landholders of the Orissa and Chota Nagpur Divisions.....one Member.

Qualifications of electors.

3. The election shall be made by landholders qualified to vote and having a place of residence within the electoral group concerned who—

(*a*) pay either land-revenue or road and public works cesses as follows, namely:—

(i) in the case of Group A (the Presidency and Burdwan Divisions), pay land-revenue amounting to not less than seven thousand five hundred rupees or road and public works cesses amounting to not less than one thousand eight hundred and seventy-five rupees per annum;

(ii) in the case of Group B (the Patna, Tirhut and Bhagalpur Divisions), pay land-revenue amounting to not less than four thousand rupees or road and public works cesses amounting to not less than one thousand rupees per annum; and

(iii) in the cases of Group C (the Orissa and Chota Nagpur Divisions), pay land-revenue amounting to not less than six thousand rupees or road and public works cesses amounting to not less than five hundred rupees per annum; or

(*b*) hold titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab.

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll for each electoral group in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the said roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in each electoral group and in the case of Calcutta at the office of the Chief Presidency Magistrate.

5. In determining the eligibility of a landholder to have his name entered on the electoral roll for any electoral group—

(*a*) only such estates and shares of estates as are held by him as proprietor in his own right and not in a fiduciary capacity, and are registered in his own name in

registers maintained under the Land Registration Act, 1876, whether such estates or shares are situated in one or more Divisions in the same electoral group, shall be taken into account;

(*b*) if the amount paid by the landholder in respect of any such share of an estate is not definitely known, the District Officer of the district in which such estate is situated shall estimate the amount so paid in respect of such shares, and his decision shall be final; and

(*c*) if a landholder pays land-revenue, or cesses, in respect of estates or shares in estates situated in two or more electoral groups, and if his payments in none of such groups reach the amount prescribed for such group, his payments within all the groups shall be aggregated, and if such aggregate equals or exceeds the amount prescribed for the group in which he makes the largest payment, he shall be entitled to be entered in the electoral roll for that group.

6. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

7. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified any landholder whose name does not appear on the said electoral roll and who claims to have his name included therein, and any person who objects to the entry of any name in such roll, may, within fifteen days after the publication of the notification under the last sub-rule, forward to the Returning Officer, either direct or through the District Magistrate of the district in which he has a place of residence, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral roll as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

8. (1) Any person not ineligible for election under these Regulations, whose name is on the electoral roll, may be nominated as a candidate for election in the electoral group in which he is qualified as an elector.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer or any District Magistrate to any elector in that group applying for the same.

(3) Every nomination paper shall be subscribed by two electors in that group as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented to an Attesting Officer for attestation on or before the date and at the time appointed by the Local Government in this behalf, and when duly attested shall be forthwith despatched by registered post by the Attesting Officer to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 8, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

10. (1) If in any group the number of candidates duly nominated does not exceed the number of candidates to be elected, the Returning Officer shall forthwith declare such candidate or candidates to be elected.

(2) If the number of candidates duly nominated exceeds the number of candidates to be elected, the Returning Officer shall forthwith publish the names of such candidates in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall sign and send by registered post to each elector one such voting paper :

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then record his vote on the voting paper in accordance with the instructions on the face thereof, and after placing the voting paper in an envelope and closing the same shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(8) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

11. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject, and mark "discarded" against any vote which he may discard, on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

12. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 11 to the candidates or their representatives.

(4) If an objection is made to any voting paper or vote on the ground that it does not comply with the instructions on the voting paper or to the rejection by the Returning Officer of any voting paper or the discarding by him of any vote, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

13. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

14. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

15. The Returning Officer shall without delay report the result of the election to the Local Government, and the name or names of the candidate or candidates elected shall be published in the local official Gazette.

Appointment of dates, times and places.

16. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 4;

(*b*) the attestation of nomination papers under rule 8;

(*c*) the scrutiny of nomination papers under rule 9;

(*d*) the sending of voting papers under rule 10;

(*e*) the attestation of voting papers under rule 10; and

(*f*) the counting of votes under rule 12.

FORM I.

(*See rule 4.*)

ELECTORAL ROLL OF LANDHOLDERS FOR THE DIVISIONS.

Serial No.	District.	Name of elector.	Father's name.	Address of elector.	Qualification.
1	2	3	4	5	6

FORM 11.

(*See rule 8.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the Electoral Roll of Landholders for the Divisions.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those no o attested shall be invalid.

2. They shall be presented for attestation on or before the of 19 , and between the hours of and .

FORM III.

(*See rule 10.*)

VOTING PAPER.

Member(s) $\frac{\text{is}}{\text{are}}$ to be elected to the Legislative Council of the Lieutenant-Governor of Bengal by the landholders of the Divisions. The following ( ) candidates have been duly nominated.

Serial No.	Names of candidates.	Votes.

Returning Officer.

Instructions.

1. Each elector has as many votes as there are members to be elected.

2. If two members are to be elected, an elector may give both his votes to one candidate.

3. He shall vote by placing, or causing to be placed, the mark ×, or the marks × ×, as the case may be, opposite the name of the candidate or candidates whom he prefers.

4. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of members to be elected.

5. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

6. Before his vote is marked, the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

7. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer in an envelope on or before the day of 19 , and between the hours of and

I hereby declare that I am the person whose name appears as No.
on the electoral roll of Landholders for the Divisions.

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

Attesting Officer.

FORM IV.

(See rule 10.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTES'

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Father's name.	Address.
1	2	3	4

Attesting Officer.

SCHEDULE VI.

[*See Regulation II, sub-head (vi), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY.

Preliminary.

1. (1) " Attesting Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties;

(2) " District Magistrate " includes any Joint, Assistant or Deputy Magistrate to whom the District Magistrate may, with the permission of the Commissioner of the Division, delegate any of his duties under these rules:

Provided that in Calcutta as defined by or under the Calcutta Municipal Act, 1899, the Chairman of the Corporation shall perform the duties assigned by these rules to the District Magistrate and may delegate any of such duties to the Vice-Chairman or Deputy Chairman; and

(3) " Returning Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. Of the four Members specified in Regulation II, sub-head (vi), two Members shall be elected for each of the two following electoral areas, namely :—

I. The Presidency, Burdwan and Orissa Divisions;

II. The Patna, Tirhut, Bhagalpur and Chota Nagpur Divisions.

3. The said Members shall be elected by the votes of delegates to be selected from among themselves in the manner hereinafter prescribed by all Muhammadans qualified to vote and having a place of residence in the electoral area concerned, who—

(*a*) hold a title recognised or conferred by the Government or are members of the Order of the Star of India or the Order of the Indian Empire, or hold a Kaisar-i-Hind Medal, or

(*b*) are Ordinary or Honorary Fellows of the University of Calcutta, or

(*c*) are Honorary Magistrates, or

(*d*) are graduates of ten years' standing of any University in the United Kingdom or British India, or

(*e*) are teachers in any institution maintained or aided by the Government or affiliated to or recognized by the University of Calcutta or recognised by the Director of Public Instruction:

Provided that such teachers are not less than thirty years of age and receive a monthly salary of fifty rupees in Calcutta, or twenty-five rupees in any place other than Calcutta, or

(*f*) are Registrars authorised to act under the Bengal Muhammadan Marriages and Divorces Registration Act, 1876, or

(*g*) own land in respect of which land-revenue amounting to not less than one hundred and twenty-five rupees in the Presidency, Burdwan, Orissa and Chota Nagpur Divisions and two hundred and fifty rupees in the Patna, Tirhut and Bhagalpur Divisions, is payable per annum, or

(*h*) own land in respect of which road and public works cesses amounting to not less than thirty-one rupees and four annas in the Presidency, Burdwan, Orissa and Chota Nagpur Divisions and sixty-two rupees and eight annas in the Patna, Tirhut and Bhagalpur Divisions are payable per annum to Government either directly or through a superior landlord, or

(*i*) pay on their own account income-tax on an income of not less than two thousand rupees in the Presidency, Burdwan, Orissa and Chota Nagpur Divisions, three thousand rupees in Calcutta, as defined by or under the Calcutta Municipal Act, 1899, and four thousand rupees in the Patna, Tirhut and Bhagalpur Divisions, or

(j) are in receipt of pensions from the Government of not less than fifty rupees per mensem:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll for each electoral area in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) In determining the eligibility of a landholder as an elector, only land-revenue or road and public works cesses payable in respect of his own personal share shall be taken into account.

(3) As soon as may be after the publication of the said roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in each electoral area and, in the case of Calcutta, at the office of the Chief Presidency Magistrate.

(4) The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

5. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) Any Muhammadan whose name does not appear on the said electoral roll and who claims to have his name included therein, and any person who objects to the entry of any name in such roll, may, within fifteen days after the publication of the notification referred to in sub-rule (1) of this rule, forward to the Commissioner of the Division in which he resides a statement of such claim or objection, as the case may be.

(3) The Commissioner shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Selection of delegates.

6. The electors of each of the districts or groups of districts mentioned in the following table shall select one delegate in the manner hereby prescribed, who shall be entitled to give the number of votes assigned to each such district or group of districts in the said table:

TABLE.

Electoral area I. (Presidency, Burdwan and Orissa Divisions.)		*Electoral area II.* (Patna, Tirhut, Bhagalpur and Chota Nagpur Divisions.)	
District.	No. of votes.	District.	No. of votes.
Calcutta	4	Patna	
24-Parganas	5	Gaya	3
Nadia		Shahabad	2
Murshidabad	4	Saran and Champaran	2
Jessore	2	Muzaffarpur	2
Khulna	3	Darbhanga	1
Burdwan	2	Monghyr	1
Birbhum	1	Bhagalpur and Santhal Parganas	1
Midnapur and Bankura	1	Purnea and Darjeeling	3
Hooghly and Howrah	1	Ranchi and Palamau	1
Cuttack, Puri, Balasore and Sambalpur	2	Hazaribagh, Manbhum and Singhbhum	1
Total of Electoral area I	26	Total of Electoral area II	22

7. (1) Any person whose name is on the electoral roll may be nominated for selection as a delegate by the electors of the district or, in the case of districts grouped together in the above table, the group of districts in which he resides.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the District Magistrate to any elector applying for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder and shall be attested by an Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented to an Attesting Officer for attestation on or before such date and at such time and place as may be appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer.

(5) Nomination papers which are not received by the District Magistrate before the date and time appointed by the Local Government in this behalf shall be rejected.

8. (1) If one candidate only is duly nominated, the District Magistrate shall forthwith declare such candidate to be selected.

(2) If more candidates than one are duly nominated, the District Magistrate shall forthwith publish their names in such manner as the Local Government may prescribe.

(3) The District Magistrate shall forthwith enter the names of the candidates in voting papers in Form III annexed to this Schedule and sign and send to each elector by registered post a voting paper bearing his number in the electoral roll :

Provided that such a voting paper shall also be supplied to any elector on his applying to the District Magistrate for the same on or before the day appointed as the latest date for the attestation of voting papers under this rule and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribedby the same instructions.

(5) The elector shall then record his vote on the voting paper in accordance with the instructions on the face thereof and deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

9. (1) On such date as may be appointed by the Local Government in this behalf, the District Magistrate shall examine the voting papers and count the votes, and shall mark "rejected" on voting papers which he rejects on the ground that they do not comply with the instructions thereon.

(2) When the counting of the votes has been completed, the District Magistrate shall declare the candidate who has got the largest number of votes to be selected.

(3) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared selected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the District Magistrate and in such manner as he may determine.

(4) Upon the completion of the counting and after the result has been declared by him, the District Magistrate shall seal up the voting papers and all other documents relating to the selection of the delegates, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

10. The District Magistrate shall without delay report the result of the selection to the Returning Officer, who shall cause the names of the delegates selected for each district or group of districts to be published in the local official Gazette, and also to be posted in a conspicuous place at the office of every District Magistrate of every district and of the Chief Presidency Magistrate of Calcutta.

Qualifications and nomination of candidates.

11. (1) Any Muhammadan not ineligible for election under these Regulations may be nominated as a candidate for election if he has a place of residence in the electoral area for which he is a candidate and possesses one of the following qualifications, namely :—

(*a*) is a Member of the Legislative Council of the Lieutenant-Governor of Bengal ; or

(*b*) is the holder of any title conferred or recognised by the Government, or is a member of the Order of the Star of India or of the Order of the Indian Empire or the holder of a Kaisar-i-Hind Medal ; or

(*c*) is an Ordinary or Honorary Fellow of the University of Calcutta ; or

(*d*) owns land in respect of which land-revenue amounting to not less than seven hundred and fifty rupees is payable per annum; or

(*e*) owns land in respect of which road and public works cesses amounting to not less than one hundred and eighty-seven rupees and eight annas are payable per annum to Government either directly or through a superior landlord; or

(*f*) pays on his own account income-tax on an income of not less than six thousand rupees per annum; or

(*g*) is in receipt of a pension for service as a gazetted or commissioned officer of the Government.

(2) Such nomination shall be made by means of a nomination paper in Form IV annexed to this Schedule, which shall be supplied by the Returning Officer or by a District Magistrate to any elector applying for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on such days and at such times as may be appointed by the Local Government in this behalf, and when duly attested shall be despatched by the Attesting Officer to the Returning Officer by registered post in an envelope sealed with his official seal.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

12. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 11, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

13. (1) If in any electoral area the number of candidates duly nominated does not exceed the number of vacancies, the Returning Officer shall forthwith declare such candidates to be elected.

(2) If the number of candidates duly nominated exceeds the number of vacancies, the Returning Officer shall forthwith publish the names of such candidates in such manner as the Local Government may prescribe.

(3) In the case referred to in sub-rule (2), the Returning Officer shall forthwith cause the names of the candidates to be entered in voting papers in Form V annexed to this Schedule, and shall sign and send to each delegate by registered post one such voting paper:

Provided that such a voting paper shall also be supplied to any delegate on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers under rule 14 and that no election shall be invalidated by reason of the non-receipt by a delegate of his voting paper.

14. (1) On or before such date as may be appointed by the Local Government in this behalf, each delegate desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(2) The delegate shall then record his vote on the voting paper in accordance with the instructions on the face thereof, and after placing the voting paper in an envelope and closing the same shall deliver it to the Attesting Officer.

(3) The Attesting Officer shall, at the close of the day appointed as the latest date for attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(4) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form VI annexed to this Schedule of the delegates whose voting papers he has attested.

(5) Neglect on the part of the delegate to comply with any of these instructions shall render the vote invalid.

Counting of votes and declaration of result.

15. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject and mark "discarded" against any vote which he may discard on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the delegate and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

16. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 15 to the candidates or their representatives.

(4) If an objection is made to any voting paper or vote on the ground that it does not comply with the instructions on the voting paper or to the rejection by the Returning Officer of a voting paper or the discarding by him of any vote, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

17. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest numbers of votes have been given to be elected.

(2) When an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

18. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

18. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate or candidates elected shall be published in the local official Gazette.

Appointment of dates, times and places.

19. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 4;

(*b*) the attestation of nomination papers under rules 7 and 11, respectively;

(*c*) reception by the District Magistrate of nomination papers under rule 7;

(*d*) the examination and counting of votes under rule 9;

(*e*) the scrutiny of nomination papers under rule 12;

(*f*) the attestation of voting papers under rules 8 and 14, respectively; and

(*g*) the counting of votes under rule 16.

FORM I.

(See rule 4.)

ELECTORAL ROLL OF MUHAMMADANS FOR ELECTORAL AREA $\frac{I}{II}$.

Serial No. on roll.	Name of district.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

FORM II.

(*See rule 7.*)

NOMINATION PAPER.

1. Name of candidate.

2. Name of father.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence on the day of 19 by and who are personally known to me (*or* who have been identified to my satisfaction) as elector Nos. and on the electoral roll of Muhammadans for Electoral Area-$\frac{I}{II}$.

Attesting Officer.

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on or before the day of and between the hours of and at the office of

3. Nomination papers which are not received by the District Magistrate before the hour of on the day of 19 shall be rejected.

FORM III.

(*See rule 8.*)

One Delegate is to be selected by the electors of the district (*or* districts) of to vote for the election of a Membe o the Legislative Council of the Lieutenant-Governor of Bengal on behalf of the Muhammadans of electoral area No.

The following ( ) ca dates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

District Magistrate.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer on or before the day of 19 and between the hours of and .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Muhammadans for electoral area No.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(*See rule 11.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Address.

4. Signature of proposer.

5. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* have been identified to my satisfaction) as voters Nos. and on the electoral roll of Muhammadans for electoral area No. .

Attesting Officer.

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They must be presented for attestation on the day of and between the hours of and

3. Nomination papers which are not received by the Returning Officer before on the day of 19 shall be rejected.

FORM V.

(See rule 13.)

VOTING PAPER.

Member (or Members) is (or are) to be elected to the Legislative Council of the Lieutenant-Governor of Bengal by the Delegates selected by the Muhammadan Community in electoral area No. . The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Votes.

Returning Officer.

Instructions.

1. If a delegate has more votes than one, he may give all his votes to one candidate, or may distribute them, in any manner he thinks fit, among all or any of the candidates.

2. He shall vote by placing, or causing to be placed, opposite the name of the candidate (or candidates) the mark × or as many such marks as the number of votes which he desires to give to such candidate.

3. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of votes to which the delegate is entitled.

4. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

5. The delegate shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

6. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in an envelope on or before the day of 19 and between the hours of and .

I hereby declare that I am a Delegate from the district (*or* districts) of for the election of a Member to the Legislative Council of the Lieutenant-Governor of Bengal by the Muhammadan Community.

C. N.,

Delegate.

(*Fold on this line.*)

Signed in my presence by the Delegate, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM VI.

(See rule 14.)

LIST OF DELEGATES WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the Delegates whose voting papers have been attested by me :—

Serial No.	Name of Delegate.	Address.

Attesting Officer.

SCHEDULE VII.

[*See Regulation II, sub-head (vii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE BENGAL CHAMBER OF COMMERCE.

1. The Member or Members specified in Regulation II, sub-head (vii), shall be elected by the Members of the Bengal Chamber of Commerce.

2. Any person, not ineligible for election under these Regulations, who is at the date of the election a member of the said Chamber shall be eligible for election.

3. On or before such date as may be appointed by the Lieutenant-Governor in this behalf, the said Chamber shall elect the Member or Members aforesaid in such manner as a Commissioner for the Port of Calcutta is for the time being elected by the said Chamber under section 6 of the Calcutta Port Act, 1890.

4. The Chairman of the said Chamber shall forthwith report the result of the election to the Local Government, and the name of the candidate or candidates elected shall be published in the local official Gazette.

SCHEDULE VIII.

[*See Regulation II, sub-head (viii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE CALCUTTA TRADES ASSOCIATION.

1. The Member specified in Regulation II, sub-head (viii), shall be elected by the members of the Calcutta Trades Association.

2. Any person, not ineligible for election under these Regulations, who is at the date of the election a member of the said Association shall be eligible for election.

3. On or before such date as may be appointed by the Lieutenant-Governor in this behalf, the said Association shall elect the Member aforesaid in such manner as a Commissioner for the Port of Calcutta is for the time being elected by the said Association under section 6 of the Calcutta Port Act, 1890.

4. The Chairman of the said Association shall forthwith report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

No. VI.—Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh.

The 15th November 1909.

No. 18.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Members of the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh:

REGULATIONS FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE UNITED PROVINCES OF AGRA AND OUDH.

Number of Members.

I. (1) The Members of the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh shall ordinarily consist of—

(A) Members elected by the classes specified in Regulation II, who shall be twenty in number;

(B) Members nominated by the Lieutenant-Governor, with the sanction of the Governor General, who shall not exceed twenty-six in number, and of whom—

(*a*) not more than twenty may be officials, and

(*b*) one shall be a non-official person to be selected from the Indian commercial community.

(2) In addition to the forty-six Members above specified, the Lieutenant-Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Members of the Council:

Provided that it shall not be lawful for the Lieutenant-Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

Elected Members.

II. The twenty elected Members specified in Regulation I shall be elected as follows, namely:—

(i) By the University of Allahabad	1 Member.
(ii) By the Municipal Boards specified in Schedule II to these Regulations	4 Members.
(iii) By the District and Municipal Boards specified in Schedule III to these Regulations	8 Members.
(iv) By the Landholders	2 Members.
(v) By the Muhammadan community	4 Members.
(vi) By the Upper India Chamber of Commerce	1 Member.

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject, or

(*b*) is a female, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind, or

(*d*) is under twenty-five years of age, or

(*e*) is an uncertificated bankrupt or an undischarged insolvent, or

(*f*) has been dismissed from the Government service, or

(*g*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security

for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted or the offender pardoned, or

(*h*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*i*) has been declared by the Lieutenant-Governor to be of such reputation and antecedents that his election would, in the opinion of the Lieutenant-Governor, be contrary to the public interest:

Provided that in cases (*f*), (*g*), (*h*) and (*i*) the disqualification may be removed by an order of the Lieutenant-Governor in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(*a*) is a female; or

(*b*) is a minor; or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council shall, before taking his seat, make at a meeting of the Council an oath or affirmation of his allegiance to the Crown, in the following form, namely:—

I, *A. B.*, having been $\frac{\text{elected}}{\text{nominated}}$ a Member of the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh, do solemnly swear (*or* affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, his heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person—

(*a*) not being eligible for election, is elected under these Regulations, or

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*c*), (*e*), (*f*), (*g*) or (*h*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Lieutenant-Governor may consider reasonable,

the Lieutenant-Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect within such time as may be prescribed by such notification another person, or shall, with the sanction of the Governor General, nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Lieutenant-Governor may with the like sanction nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Chief Secretary to the Local Government within seven days from the date of the publication of the result of such elections in the local official Gazette, choose, or in his default the Lieutenant-Governor shall declare, for which of the electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who but for the said votes would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

Term of office.

X. (1) Save as provided in clause (2) and subject to the provisions of Regulation XVIII, the term of office of a Member shall be three years from the date of his election or nomination, as the case may be:

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Lieutenant-Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person to the vacancy:

Provided that when a casual vacancy occurs in the case of an elected Member, the election shall always be made by the same electorate as that which elected the Member whose place is to be filled and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Lieutenant-Governor may with the like sanction nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh shall be exercised only at meetings at which—

(*a*) the Lieutenant-Governor, or

(*b*) the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909, or,

(*c*) in the case of the discussions referred to in section 5 of the said Act, a Member appointed to preside in pursuance of a rule made under that section,

and ten or more Members of the Council are present.

Corrupt practices.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination or of a vote, or of any corrupt practice in connection with such election, or for any other causi, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Lieutenant-Governor shall, after such enquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person who is eligible for election by such electorate.

Finality of decision.

XVII. The decision of the Lieutenant-Governor on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Lieutenant-Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[*See Regulation II, sub-head (i), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE UNIVERSITY OF ALLAHABAD.

Preliminary.

1. "Returning Officer" means the Registrar of the University of Allahabad, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

Qualification of electors.

2. The Member specified in Regulation II, sub-head (i), shall be elected by the votes of the members of the Senate and Honorary Fellows of the University of Allahabad having a place of residence in India (hereinafter called electors).

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is entitled to vote under this Schedule may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector whose address in India has been registered at the office of the Returning Officer;

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

6. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India whose address has been registered at the office of the Returning Officer one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose, and, after recording his vote on the voting paper in the manner prescribed therein, deliver the same to the Returning Officer.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein:

Provided that voting papers which are not received by the Returning Officer before the date appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions therein or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3 ;

(*b*) the scrutiny of nomination papers under rule 5 ;

(*c*) the sending of voting papers under rule 6 ;

(*d*) the recording of votes under rule 7 ; and

(*e*) the counting of votes under rule 10.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1 Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Returning Officer.

Instructions.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(*See rule 6.*)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor by the Members of the Senate and Honorary Fellows of the University of Allahabad. The following candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.

6. Votes may be recorded in the presence of the Returning Officer between the hours of and on the day of 19 at the .

I hereby declare that I am a Member of the Senate (*or* an Honorary Fellow) of the University of Allahabad.

(Signed)

.....

(*Fold on this line.*)

SCHEDULE II.

[*See Regulation II, sub-head (ii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY CERTAIN MUNICIPAL BOARDS IN THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returing Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorate.

2. (1) For the purpose of the election of the four Members referred to in Regulation II, sub-head (ii), two groups of Municipal Boards shall be formed, namely :—

Group I—consisting of the Municipal Boards of Meerut, Agra, Allahabad and Lucknow; and

Group II—consisting of the Municipal Boards of Bareilly, Cawnpore, Benares and Fyzabad.

(2) The four Members above referred to shall be elected alternately by the four Municipal Boards forming each of the said groups :

Provided that the Municipal Boards in group I shall have the first right of election.

(3) The members, other than (*a*) the Chairman, if an official, and (*b*) the members appointed *ex officio*, of each of the four Municipal Boards forming a group shall elect one Member.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations, and having a place of residence in the municipality for the representation of which he is a candidate, may be nominated as a candidate for election if he—

(*a*) is qualified as an elector in such municipality under rule 2, sub-rule (3) ; or

(*b*) has served as a member of the Municipal Board of such municipality for a period of not less than three years.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Returning Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors of the municipality as proposer and seconder and delivered to the Returning Officer.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

6. (1) If in any municipality one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

7. (1) Every elector desirous of recording his vote shall attend for the purpose at such place and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Returning Officer shall thereupon deliver to each such elector a voting paper in Form II annexed to this Schedule, in which shall be entered the names of the candidates.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Returning Officer in accordance with the instructions on the face thereof, and the Returning Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Returning Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then deliver the voting paper to the Returning Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

Counting of votes and declaration of result.

8. (1) On receiving the voting paper, the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal, and shall then proceed to count the votes.

9. (1) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(2) The Returning Officer shall show the voting papers sealed as provided by rule 8 to the candidates or their representatives.

(3) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(4) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

10. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

11. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

12. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

13. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the scrutiny of nomination papers under rule 5;

(*b*) the attestation of voting papers under rule 7; and

(*c*) the counting of votes under rule 8.

FORM I

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Instructions.

1. Nomination papers which are not received by the Returning Officer before the day of 19 shall be rejected.

FORM II.

(See rule 7.)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh by the Municipal Board of . The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Returning Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Returning Officer between the hours of and on the day of 19

I hereby declare that I am a qualified elector in the Municipality for the election of a Member to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Returning Officer.

SCHEDULE III.

[*See Regulation II, sub-head (iii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY CERTAIN DISTRICT AND MUNICIPAL BOARDS OF THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of an Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorate.

2. (1) Of the eight members referred to in Regulation II, sub-head (iii), one shall be elected for each of the Meerut, Agra, Rohilkhand, Allahabad, Benares, Gorakhpur, Lucknow and Fyzabad Divisions.

(2) The said Members shall be elected by the votes of delegates to be selected in the manner hereinafter prescribed by the members, other than (*a*) the Chairman, if an official, and (*b*) the members appointed *ex officio*, of all District Boards and such Municipal Boards within the said Divisions as are established for towns forming district headquarters or containing more than twenty thousand inhabitants according to the returns of the most recent official census, or as are named in the notification of the Lieutenant-Governor of the United Provinces of Agra and Oudh No. 44-C/III-807-A., dated the 19th day of July 1899:

Provided that nothing in this rule shall be deemed to apply to any Municipal Board which,—

(*a*) at the time of holding an election under this Schedule to fill a casual vacancy, is already represented by a Member elected under Regulation II, sub-head (ii), or

(*b*) at the time of holding an election to fill a vacancy other than casual, is entitled to elect a Member under the said sub-head of the said Regulation.

(3) The number of delegates which such District and Municipal Boards are entitled to select shall be in accordance with the following scale, namely :—

District Boards.

For districts with a population of under 500,000	...	...	...	2 delegates.
„ „ „ from 500,000 to 750,000	...	...	3	„
„ „ „ „ 750,000 to 1,000,000	...	...	4	„
„ „ „ „ 1,000,000 to 1,250,000	...	...	5	„
„ „ „ „ 1,250,000 to 1,500,000	...	...	6	„
„ „ „ over 1,500,000	...	...	7	„

Municipal Boards.

For towns containing not more than 20,000 inhabitants	...	...	1 delegate.	
„ „ between 20,000 and 50,000 inhabitants	...	...	2 delegates.	
„ „ „ 50,000 and 100,000	„	...	...	3 „
„ „ over 100,000	„	...	...	4 „

Selection of delegates.

3. On such date and at such time as may be appointed by the Local Government in this behalf, the members of each board, other than (*a*) the Chairman, if an official, and (*b*) the members appointed *ex officio*, shall meet for the purpose of selecting the number of delegates to which it may be entitled.

4. (1) At such meeting the Attesting Officer shall attend and, after explaining the rules, shall sign and deliver to each member of the board present a voting paper in Form I annexed to this Schedule and shall thereafter withdraw.

(2) The members present shall then proceed to elect from among themselves a Chairman who shall in the first instance state the number of delegates to be selected and call upon such members to nominate persons for selection,

5. (1) Any member of such board may be nominated for selection as a delegate by any two other members of the same board as proposer and seconder, and the names of all persons so nominated and their respective proposers and seconders shall thereupon be entered by the Chairman in a list which shall be read out and signed by him.

(2) If the number of members nominated does not exceed the number of delegates assigned to the board as aforesaid, they shall be deemed to be selected as delegates, and the Chairman shall forthwith inform the Attesting Officer of their names and addresses.

(3) If the number of members nominated exceeds the number of delegates assigned as aforesaid, the members present, including the Chairman, shall record their votes in the manner prescribed in the voting paper, and deliver the voting papers to the Chairman.

6. (1) The Chairman shall then inform the Attesting Officer, who shall thereupon return to the meeting, and the Chairman shall make over to him the list of candidates nominated together with the voting papers.

(2) The Attesting Officer shall then examine the voting papers and count the votes in the presence of the members, and shall endorse "rejected" on any voting paper which he may reject, and mark "discarded" against any vote which he may discard, on the ground that it does not comply with the instructions on the voting paper.

7. (1) When the counting of the votes has been completed, the Attesting Officer shall forthwith declare the candidate or candidates to whom the largest number of votes has been given to be selected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared selected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Attesting Officer and in such manner as he may determine.

8. Upon the completion of the counting and after the result has been declared by him, the Attesting Officer shall seal up the voting papers and list of nominations, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

9. The Attesting Officer shall without delay report to the Returning Officer the names and addresses of the delegates selected (hereinafter called electors), and the said names and addresses shall be published in such manner as the Local Government may prescribe.

Qualifications and nomination of candidates.

10. (1) Any person not ineligible for election under these Regulations and having a place of residence in the Division for the representation of which he is a candidate may be nominated as a candidate for election, if he—

(*a*) is a member of any District or Municipal Board in that Division; or

(*b*) owns land in respect of which land-revenue amounting to not less than three thousand rupees per annum is payable; or

(*c*) owns land free of revenue if the land-revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either alone or together with land-revenue payable in respect of other land by such owner, amounts to not less than three thousand rupees per annum; or

(*d*) pays on his own account income-tax on an income of not less than three thousand rupees; or

(*e*) owns land and pays income-tax when the sum of land-revenue payable annually by him together with the land-revenue nominally assessed on land owned by him, and the income on which he pays income-tax is not less than three thousand rupees.

(2) Every nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors of the Division as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

11. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

12. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 10, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

13. (1) If in any Division one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

14. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district by a District or Municipal Board in which he was selected as delegat and on such date and at such time as may be appointed by the Local Government in thi behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall then sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions thereon.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) The Attesting Officer shall at the close of the day appointed for the attestation of voting papers despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(8) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

15. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject, and mark "discarded" against any vote which he may discard, on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

16. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 15 to the candidates or their representatives.

(4) If an objection is made to any voting paper or vote on the ground that it does not comply with the instructions on the voting paper or to the rejection by the Returning Officer of a voting paper, or the discarding by him of any vote, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

17. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

18. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

19. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

20. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the selection of delegates under rule 3 ;

(*b*) the attestation of nomination papers under rule 10 ;

(*c*) the scrutiny of nomination papers under rule 12 ;

(*d*) the attestation of voting papers under rule 14 ; and

FORM I.

(See rule 4.)

Delegate(s) $\frac{\text{is}}{\text{are}}$ to be selected by the qualified members of the Board.

Serial No.	Names of candidates.	Votes.

Attesting Officer.

Signature o Member.

Instructions.

1. Each member shall enter the name or names of the candidate or candidates to whom he desires to give his vote or votes.

2. Each member has as many votes as there are delegates to be selected.

3. A member may give more than one vote to any candidate nominated, except in cases where he has one vote only.

4. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate or candidates whom he prefers. If he wishes to give more than one vote to a candidate, he shall place, or cause to be placed, the mark × opposite the name as many time repeated as he wishes to give votes.

5. The voting paper shall be invalid if the to al number of votes recorded on it exceeds the number of delegates to be selected.

6. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

7. After voting the member shall sign the paper, fold it and deliver it to the Chairman. Voting papers not signed shall be invalid.

FORM II.

(See rule 10.)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being delegates from the Boards of for the election of a Member to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh.

Attesting Officer.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation between the hours of and on the day of 19 at the office of .

FORM III.

(*See rule 14.*)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh by the Delegates selected by the District and Municipal Boards in the [1]Division. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote, unless he has been selected by both a District and a Municipal Board, in which case he shall have two.

2. If an elector has two votes, he may give both votes to one candidate.

3. He shall vote by placing or causing to be placed the mark × or the marks × ×, as the case may be, opposite the name of the candidate or candidates whom he prefers.

4. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number which the elector is entitled to give.

5. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

6. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

7. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am a Delegate selected by the Board for the election of a Member to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV

[See rule 14.]

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY .

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE IV.

[*See Regulation II, sub-head (iv), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY LANDHOLDERS IN THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. The Members specified in Regulation II, sub-head (iv), shall be elected, one by landholders of the Province of Agra and the other by landholders of the Province of Oudh.

A. The Province of Agra.

Qualifications of electors.

3. The election shall be made by all persons qualified to vote and having a place of residence in the Province of Agra who—

(*a*) in that Province own land in respect of which land-revenue amounting to not less than five thousand rupees per annum is payable, or

(*b*) in that Province own land free of land-revenue if the land-revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either alone or together with any land-revenue payable in respect of other land by such owners, amounts to not less than five thousand rupees per annum, or

(*c*) hold the title of Maharaja, Raja or Nawab if conferred or recognised by the Government, or

(*d*) hold the title of Rajwar, Rao Bahadur, Rao, Rai, Mirza Bahadur, Mirza, Khan Bahadur, Chaudhri, or Diwan if hereditary and recognised by the Government:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications described above.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) In the case of a Hindu joint family, or a firm or company qualified under rule 3, clause (*a*) or clause (*b*), the name of the manager of the family and of any person duly authorised in writing in this behalf by the firm or company shall be entered in the roll, as the representative, for the purposes of the roll, of such family, firm or company, as the case may be.

(3) In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) As soon as may be after the publication of the roll in the said Gazette, an extract from the electoral roll relating to each district shall be posted in a conspicuous place at the office of the District Magistrate for such district.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the said roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

8. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 7, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

10. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

11. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

12. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 13 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

17. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

18. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 4 :

(*b*) the attestation of nomination papers under rule 7 :

(*c*) the scrutiny of nomination papers under rule 9 :

(*d*) the attestation of voting papers under rule 11 ; and

(*e*) the counting of votes under rule 14.

B. The Province of Oudh.

19. (1) The election shall be made by the British Indian Association of Oudh at an extraordinary General meeting in the manner laid down for the time being in the bye-laws of the said Association for carrying resolutions or recording decisions upon questions of business brought before that body :

Provided that, where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn at such meeting and in such manner as the Chairman thereof may determine.

(2) The result of the election shall be forthwith communicated by the said Association to the Chief Secretary to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Qualification of candidates.

20. Any person not ineligible for election under these Regulations and having a place of residence in the Province of Oudh who is a member of the British Indian Association of Oudh, shall be eligible for election under rule 19.

FORM I.

(See rule 4.)

ELECTORAL ROLL OF LANDHOLDERS IN THE PROVINCE OF AGRA FOR THE ELECTION OF A MEMBER TO THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE UNITED PROVINCES OF AGRA AND OUDH.

Serial No. on roll.	Serial No. on district list.	Name of elector.	Father's name.	Address.	Qualifications
1	2	3	4	5	6

Instructions.

1. The roll shall be prepared by districts, each elector's name being entered under the district in which he resides.

2. In the case of an elector qualified under rule 3 (*a*) or 3 (*b*) who pays land-revenue, or holds land free of revenue in more than one district, details of the land-revenue payable or nominally assessed in each district shall be entered in column 6, where the land-revenue payable or nominally assessed in any one district does not exceed Rs. 5,000.

3. In determining the eligibility of a landholder as elector, only land-revenue payable or nominally assessed on account of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

FORM II.

(See rule 7.)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Addr

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of landholders in the Province of Agra for the election of a Member to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of , and between the hours of and , at the office of

FORM III.

(*See rule 11.*)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh by the landholders in the Province of Agra. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of landholders in the Province of Agra for the election of a Member to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 12.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE V.

[*See Regulation II, sub-head* (5), *and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY IN THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the four Members specified in Regulation II, sub-head (v), one Member shall be elected by the qualified electors in each of the four following groups of Divisions, namely:—

Group I.—The Meerut and Agra Divisions.

Group II.—The Rohilkhand and Kumaun Divisions.

Group III.—The Lucknow and Fyzabad Divisions.

Group IV.—The Allahabad, Benares and Gorakhpur Divisions.

Qualifications of electors.

3. The election shall be made by all Muhammadans qualified to vote and having a place of residence in the United Provinces of Agra and Oudh who—

(*a*) own land in respect of which land-revenue amounting to not less than three thousand rupees per annum is payable; or

(*b*) own land free of land-revenue if the land-revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same either alone or together with any land-revenue payable in respect of other land by such owners, amounts to not less than three thousand rupees per annum; or

(*c*) pay on their own account income-tax on an income of not less than three thousand rupees per annum; or

(*d*) are Members of the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh; or

(*e*) are Ordinary or Honorary Fellows of the University of Allahabad; or

(*f*) are Trustees of the Mahammadan Anglo-Oriental College, Aligarh; or

(*g*) are holders of any title conferred or recognised by the Government, or are members of the Order of the Star of India or the Order of the Indian Empire or holders of the Kaisar-i-Hind Medal; or

(*h*) are in receipt of pensions for service as gazetted or commissioned officers of the Government; or

(*i*) are Honorary Assistant Collectors, Honorary Magistrates or Honorary Munsifs or

(*j*) are graduates of five years' standing of any university in the British Empire:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) Where a firm or company is composed exclusively of persons who are Muhammadans and such firm or company is qualified under rule 3, clause (*a*) clause (*b*) or clause (*c*), the name of any person duly authorised in writing in this behalf by the firm or company shall be entered in the said roll as the representative, for the purposes of the roll, of such firm or company.

(3) In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) As soon as may be after the publication of the said roll in the local official Gazette, an extract therefrom relating to each district shall be posted in a conspicuous place at the office of the District Magistrate.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At any time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Every such appeal shall be preferred within one week from the date of the order appealed against :

Provided that the Commissioner may, for sufficient reason, extend the time up to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election by the electors of the group in which he resides.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors of the group for which the election is being held as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer to the Returning Officer by registered post.

8. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed in each group, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made reject any nomination paper on the ground that it does not comply with the provisions of rule 7, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

10. (1) If in any group one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

11 (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

12. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 13 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting and after the result has been declared by him the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

17. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government, and the names of the candidates elected shall be published in the local official Gazette.

Appointment of dates, times and places.

18. The Local Government shall appoint, and shall notify, in such manner as it thinks fit such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 4;

(*b*) the attestation of nomination papers under rule 7;

(*c*) the scrutiny of nomination papers under rule 9;

(*d*) the attestation of voting papers under rule 11; and

(*e*) the counting of votes under rule 14.

FORM I.

(See rule 4.)

ELECTORAL ROLL OF MUHAMMADANS FOR THE ELECTION OF MEMBERS TO THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE UNITED PROVINCES OF AGRA AND OUDH.

Serial No. on roll.	Serial No. on district list.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

Instructions.

1. The roll shall be prepared by districts, each elector's name being entered under the district in which he resides.

2. In the case of an elector qualified under rule 3 (*a*) or 3 (*b*) who pays land-revenue, or holds land free of revenue in more than one district, details of the land-revenue payable or nominally assessed in each district shall be entered in column 6, where the land-revenue payable or nominally assessed in any one district does not exceed Rs. 3,000.

3. In determining the eligibility of a landholder as elector, only land-revenue payable or nominally assessed on account of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

4. In the case of an elector qualified under rule 3 (*c*), the entry in column 6 shall be "Payment of income-tax" and shall not state the amount on which the tax is paid.

FORM II.

(*See rule 7.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and under the District on the electoral roll of Muhammadans for the election of a Member to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh for the Divisions.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of 19 , and between the hours of and , at the office of

FORM III.

(*See rule II.*)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh by the Muhammadan community in the and Divisions. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Muhammadans for the election of a Member to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh for the Divisions.

C. N.,

Elector.

(*Fold on this li*

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 12.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE VI.

[*See Regulation II, sub-head (vi), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE UPPER INDIA CHAMBER OF COMMERCE.

1. The Member specified in Regulation II, sub-head (vi), shall be elected by the members of the Upper India Chamber of Commerce.

2. Any person, not ineligible for election under these Regulations, who resides, or carries on business, in the United Provinces of Agra and Oudh and is eligible for election as a member of the Committee of the Upper India Chamber of Commerce, shall be eligible for election.

3. The election shall be carried out in the manner prescribed in the Articles of Association of the said Chamber for the election of the Committee of the said Chamber, but shall not require confirmation at the annual general meeting of the Chamber.

4. Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by the said Committee in the manner prescribed in the Articles of Association of the Chamber for carrying resolutions or recording decisions upon questions of business brought before the Committee:

Provided that the decision of the Committee shall not be subject to the control of the Chamber in general meeting.

5. The result of the election shall be forthwith communicated by the said Chamber to the Chief Secretary to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

No. VII.—Legislative Council of the Lieutenant-Governor of the Punjab.

The 15th November 1909.

No. 19.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Members of the Legislative Council of the Lieutenant-Governor of the Punjab :

REGULATIONS FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE PUNJAB.

Number of Members.

I. (1) The Members of the Legislative Council of the Lieutenant-Governor of the Punjab shall ordinarily consist of—

A.—Members elected by the classes specified in Regulation II, who shall be five in number ;

B.—Members nominated by the Lieutenant-Governor, with the sanction of the Governor General, who shall not exceed nineteen in number and of whom not more than ten may be officials.

(2) In addition to the twenty-four Members above specified, the Lieutenant-Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Members of the Council :

Provided that it shall not be lawful for the Lieutenant-Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

Elected Members.

II. The five elected Members specified in Regulation I shall be elected as follows, namely :—

(i) By the University of the Punjab . . . . . 1 Member.

(ii) By the Municipal and Cantonment Committees . . 3 Members.

(iii) By the Punjab Chamber of Commerce . . . . 1 Member.

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject, or

(*b*) is a female, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind, or

(*d*) is under twenty-five years of age, or

(*e*) is an uncertificated bankrupt or an undischarged insolvent, or

(*f*) has been dismissed from the Government service, or

(*g*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or of transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(*h*) has been debarred from practising as a legal practitioner by order of any competent authority; or

(*i*) has been declared by the Lieutenant-Governor to be of such reputation and antecedents that his election would, in his opinion, be contrary to the public interest ;

Provided that in cases (*f*), (*g*), (*h*) and (*i*) the disqualification may be removed by an order of the Lieutenant-Governor in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(*a*) is a female, or

(*b*) is a minor, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ a Member of the Legislative Council of the Lieutenant-Governor of the Punjab, do solemnly swear (*or* affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person,—

(*a*) not being eligible for election, is elected under these Regulations, or,

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*c*), (*e*), (*f*), (*g*) or (*h*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Lieutenant-Governor considers reasonable,

the Lieutenant-Governor shall, by notification in the local official Gazette declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification, or shall, with the sanction of the Governor General, nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Lieutenant-Governor may, with the like sanction, nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Chief Secretary to the Local Government, within seven days from the date of the publication of the result of such elections in the local official Gazette, choose, or in his default the Lieutenant-Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who except for the said votes would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

Term of office.

X. (1) Save as provided in clause (2) and subject to the provisions of Regulation XVIII, the term of office of a Member shall be three years from the date of his election or nomination, as the case may be :

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Lieutenant-Governor may, at the time of nomination, determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance

of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office as long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person to the vacancy.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Lieutenant-Governor may, with the like sanction, nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Lieutenant-Governor of the Punjab shall be exercised only at meetings at which—

(*a*) the Lieutenant-Governor, or

(*b*) the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) in the case of the discussions referred to in section 5 of the said Act, a Member appointed to preside in pursuance of a rule made under that section,

and eight or more Members of the Council are present.

Corrupt practices.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate, if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination, or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Lieutenant-Governor shall, after such enquiry (if any) as he may consider necessary, declare by notification as aforesaid whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time prescribed the electorate fails to elect, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person who is eligible for election by such electorate.

Finality of decisions.

XVII. The decision of the Lieutenant-Governor on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Lieutenant-Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[*See Regulation II, sub-head (i), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE UNIVERSITY OF THE PUNJAB.

Preliminary.

1. "Returning Officer" means the Registrar of the University of the Punjab, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

Qualification of electors.

2. The Member specified in Regulation II, sub-head (i), shall be elected by the votes of the members of the Senate and Honorary Fellows of the University of the Punjab having a place of residence in India (hereinafter referred to as electors).

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post, on or before such date as may be appointed by the Local Government in this behalf, to each elector whose address in India has been registered at the office of the Returning Officer :

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the date and time appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

6. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India whose address has been registered at the office of the Returning Officer one such voting paper signed by the Returning Officer :

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose, and after recording his vote on the voting paper in the manner prescribed therein deliver the same to the Returning Officer.

8. Any elector not desirous of recording his vote in [illegible] may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein :

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions therein or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given by the electors to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Lieutenant-Governor of the Punjab, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3 ;

(*b*) the scrutiny of nomination papers under rule 5 ;

(*c*) the sending of voting papers under rule 6 ;

(*d*) the recording of votes under rule 7 ; and

(*e*) the counting of votes under rule 10.

FORM I.

(See rule 3.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Returning Officer.

Instruction.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(See rule 6.)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of the Punjab by the members of the Senate and Honorary Fellows of the University of the Punjab. The following candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting papers shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.

6. Votes may be recorded in the presence of the Returning Officer between the hours of and on the day of 19 at the .

19

I hereby declare that I am a Member of the Senate (*or* an Honorary Fellow) of the University of the Punjab.

(Signed)

Fold on this line.

SCHEDULE II.

[*See Regulation II, sub-head (ii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY MUNICIPAL AND CANTONMENT COMMITTEES IN THE PUNJAB.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties ; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the three Members specified in Regulation II, sub-head (ii), one shall be elected by the members other than those appointed *ex officio* of each of the following groups of Municipal and Cantonment Committees, namely :—

I.—The Cis-Sutlej group, which shall consist of—

The Municipal Committee of Delhi.
The Municipal Committee of Simla.
The Municipal Committee of Ambala.
The Cantonment Committee of Ambala.
The Municipal Committee of Ludhiana.
The Municipal Committee of Ferozepore.
The Cantonment Committee of Ferozepore.

II.—The Central Group, which shall consist of—

The Municipal Committee of Lahore.
The Cantonment Committee of Lahore.
The Municipal Committee of Amritsar.
The Municipal Committee of Jullundur.
The Cantonment Committee of Jullundur ; and

III.—The Western Group, which shall consist of—

The Municipal Committee of Multan.
The Cantonment Committee of Multan.
The Municipal Committee of Rawalpindi.
The Cantonment Committee of Rawalpindi.
The Municipal Committee of Sialkot.
The Contonment Committee of Sialkot.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll for each group in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the said Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the said roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the dat of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations and having a place of residence in the group for which he seeks election may be nominated as a candidate for election if he is, or has served for at last three years, as a member of a Municipal or Cantonment Committee belonging to that group.

(2) Such nomination shall be nade by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation before 5 P.M. on the day appointed by the Local Government as the latest date in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returing Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 6, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

9. (1) If in any group one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

11. (1) On such date and at such time as may be appointed by the Local Government in this behalf, every elector desirous of recording his vote shall attend for the purpose at the office of the Attesting Officer.

(2) The Attesting Officer shall deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render his vote invalid.

12. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 13 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

17. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Lieutenant-Governor of the Punjab, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

18. The Local Government shall appoint, and notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 3;

(*b*) the attestation of nomination papers under rule 6;

(*c*) the scrutiny of nomination papers under rule 8;

(*d*) the attestation of voting papers under rule 11; and

(*e*) the counting of votes under rule 14.

FORM I.

(See rule 3.)

ELECTORAL ROLL FOR THE $\frac{\text{CIS-SUTLEJ}}{\text{CENTRAL}}$ GROUP.

Serial No.	Name of Municipal or Cantonment Committee.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

ORM II.

(See rule 6.)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of the Cis-Sutlej / Central / Western group.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation not later than P.M. on the day of 19 at the office of .

FORM III.

(See rule 11.)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of the Punjab by the electors of the group of Municipal and Cantonment Committees. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll for the Group for the election of a Member to the Legislative Council of the Lieutenant-Governor of the Punjab.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(*See rule 12*)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of Elector.	Address.

Attesting Officer.

SCHEDULE III.

[*See Regulation II, sub-head (iii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE PUNJAB CHAMBER OF COMMERCE.

1. The Member specified in Regulation II, sub-head (iii), shall be elected by the members of the Punjab Chamber of Commerce.

2. Any person not ineligible for election under these Regulations who is at the date of the election a member of the said Chamber shall be eligible for election.

3. On or before such date as may be appointed by the Lieutenant-Governor in this behalf, the election shall be made by the members in the manner laid down from time to time in the rules of the said Chamber for carrying resolutions or recording decisions upon questions of business brought before it.

4. The Chairman of the Chamber shall forthwith report the result of the election to the Secretary to the Legislative Council of the Lieutenant-Governor of the Punjab, and the name of the candidate elected shall be published in the local official Gazette.

No. VIII.—Legislative Council of the Lieutenant-Governor of Eastern Bengal and Assam.

No. 20.—In exercise of the power conferred by section 6 of the India Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Members of the Legislative Council of the Lieutenant-Governor of Eastern Bengal and Assam:

REGULATIONS FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF EASTERN BENGAL AND ASSAM.

Number of Members.

I. (1) The Members of the Legislative Council of the Lieutenant-Governor of Eastern Bengal and Assam shall ordinarily consist of—

A.—Members elected by the classes specifie in Regulation II, who shall be eighteen in number;

B.—Members nominated by the Lieutenant-Governor, with the sanction of the Governor General, who shall not exceed twenty-two in number, and of whom—

(*a*) not more than seventeen may be officials, and

(*b*) one shall be a non-official person to be selected from the Indian commercial community.

(2) In addition to the forty Members above specified, the Lieutenant-Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Members of the Council:

Provided that it shall not be lawful for the Lieutenant-Governor to nominate so many official persons under these Regulations that the majority of all the members of the Council shall be officials.

Elected Members.

II. The eighteen elected Members specified in Regulation I shall be elected as follows, namely:—

(i)	By the Commissioners of the Port of Chittagong . .	1 Member.
(ii)	By the Municipal Commissioners	3 Members.
(iii)	By the District and Local Boards	5 „
(iv)	By the Landholders	2 „
(v)	By the Muhammadan community	4 „
(vi)	By the Tea interest	2 „
(vii)	By the Jute interest	1 Member.

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject, or

(*b*) is a female, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind, or

(*d*) is under twenty-five years of age, or

(*e*) is an uncertificated bankrupt or an undischarged insolvent, or

(*f*) has been dismissed from the Government service, or

(*g*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(*h*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*i*) has been declared by the Lieutenant-Governor to be of such reputation and antecedents that his election would, in his opinion, be contrary to the public interest :

Provided that in cases (*f*), (*g*), (*h*) and (*i*) the disqualification may be removed by an order of the Lieutenant-Governor in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(*a*) is a female, or

(*b*) is a minor, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ a Member of the Legislative Council of the Lieutenant-Governor of Eastern Bengal and Assam, do solemnly swear (*or* affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person,—

(*a*) not being eligible for election, is elected under these Regulations, or,

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*c*), (*e*), (*f*), (*g*) or (*h*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Lieutenant-Governor considers reasonable,

the Lieutenant-Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification, or shall, with the sanction of the Governor General, nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Lieutenant-Governor may, with the like sanction, nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Chief Secretary to the Local Government within seven days from the date of the publication of the result of such elections in the local official Gazette, choose, or in his default the Lieutenant-Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who except for the said votes would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

Term of office.

X. (1) Save as provided in clause (2) and subject to the provisions of Regulation XVIII, the term of office of a Member shall be three years from the date of his election or nomination, as the case may be:

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Lieutenant-Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office as long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person to the vacancy.

Provided that when a casual vacancy occurs in the case of an elected Member, the election shall always be made by the same electorate as that which elected the Member whose place is to be filled and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Lieutenant-Governor may, with the like sanction, nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Lieutenant-Governor of Eastern Bengal and Assam shall be exercised only at meetings at which—

(*a*) the Lieutenant-Governor, or

(*b*) the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909, or,

(*c*) in the case of the discussions referred to in section 5 of the said Act, a Member appointed to preside in pursuance of a rule made under that section,

and ten or more Members of the Council are present.

Corrupt practices.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from given a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate, if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Non-compliance with rules.

Explanation.—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination, or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Lieutenant-Governor shall, after such enquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person eligible for election by such electorate.

Finality of decisions.

XVII. The decision of the Lieutenant-Governor on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Lieutenant-Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[*See Regulation II, sub-head* (*i*), *and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE COMMISSIONERS OF THE PORT OF CHITTAGONG.

1. On or before such date as may be appointed by the Lieutenant-Governor in this behalf the Member specified in Regulation II, sub-head (i), shall be elected by the Commissioners of the Port of Chittagong.

2. Any person not ineligible for election under these Regulations may be elected.

3. The election shall be carried out in the manner prescribed in section 59 of the Chittagong Port Commissioners Act, 1887, for the decision of questions which come before the Commissioners.

4. The Chairman of the Commissioners shall forthwith report the result of the election to the Secretary to the Legislative Council, and the name of the candidate elected shall be published in the local official Gazette.

SCHEDULE II.

[*See Regulation II, sub-head (ii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE MUNICIPAL COMMISSIONERS.

Preliminary.

1. "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorate.

2. (1) For the purpose of the election of the three Members specified in Regulation II, sub-head (ii), the Municipalities possessing an annual local income of not less than five thousand rupees shall be formed into the following four groups, namely :—

Group I.—The Municipalities in the Dacca Division.

Group II.—The Municipalities in the Rajshahi Division.

Group III.—The Municipalities in the Chittagong and Surma Valley Divisions.

Group IV.—The Municipalities in the Assam Valley Division.

Explanation.—The term "Municipality" includes any town or suburb in which the provisions of Chapter IV of the Bengal Municipal Act, 1876, are in force.

(2) The Commissioners, other than the Chairman, if an official, and the members appointed *ex officio*, of the Municipalities in groups I and II shall each elect one Member.

(3) The Commissioners other than the Chairman, if an official, and the members appointed *ex officio*, of the Municipalities in groups III and IV shall elect the third Member alternately :

Provided that the Commissioners of the Municipalities in group IV shall have the first right of election.

(4) The number of votes which the Commissioners of each Municipality shall be entitled to give shall be regulated by the local income possessed by it according to the following scale :—

			Votes.
Municipalities with an annual local income of		Rs. 5,000 and less than Rs. 10,000 .	1
Do.	do.	Rs. 10,000 and less than Rs. 20,000 .	2
Do.	do.	Rs. 20,000 and less than Rs. 50,000 .	3
Do.	do.	Rs. 50,000 and less than Rs. 80,000 .	4
and for every additional Rs. 30,000 or part thereof in excess of Rs. 80,000			1

Explanation.—By "local income" is meant the total income of the Municipality excluding the opening balance of the municipal fund, grants and contributions, and receipts under the account heads "Extraordinary" and "Debt".

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations, who has a place of residence within the group and such practical connection with it as qualifies him to represent it, may be nominated as a candidate for election if he—

(*a*) is qualified as an elector for one of the Municipalities within the group under rule 2, or

(*b*) has served as a Municipal Commissioner in one of the Municipalities within the group for a period of not less than three years.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Returning Officer or the Chairman of a Municipality to any elector asking for the same.

(3) Every nomination paper shall be subscribed as proposer and seconder by two qualified Municipal Commissioners of Municipalities included within the group for which an election is being held :

Provided that no Municipal Commissioner shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time appointed by the Local Government in this behalf either to the Returning Officer or to the Chairman of one of the Municipalities within the group, and, if attested by the Chairman of a Municipality, it shall be despatched by him without delay by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

4. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rules (3) and (4), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

5. (1) If in any group one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe, and shall send a list of the candidates to each Municipality within the group.

6. (1) The Chairman of each Municipality within the group shall summon a meeting of the Municipal Commissioners qualified to vote under rule 2, for such date as may be fixed by the Local Government in this behalf, and shall in the first instance explain to the Commissioners who are present at that meeting the rules for the election.

(2) The Chairman shall then, if he is an official, withdraw from the meeting, and the Vice-Chairman shall preside over the meeting:

Provided that, if the Vice-Chairman is absent, the Commissioners present shall proceed to elect a Chairman from among their number.

(3) It shall then be decided by the votes of the Municipal Commissioners present how all or any of the votes allotted to the Municipality shall be given, and in the case of an equality of votes the Chairman of the meeting shall have the casting vote.

(4) The Chairman of the meeting shall forthwith report to the Returning Officer the number of votes given to any candidate or candidates on the list.

(5) Such report shall be in Form II annexed to this Schedule, and shall be signed by the Chairman of the meeting and countersigned by the Chairman of the Municipality if he did not preside at such meeting.

Counting of votes and declaration of result.

7. (1) On the date and at the time and place appointed by the Local Government in this behalf, the Returning Officer shall count the votes recorded in the reports sent up from the Municipalities in the group.

(2) No report received by the Returning Officer after the time appointed for the counting of the votes shall be taken into account by him.

(3) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to be present at the counting of the votes.

(4) The Returning Officer shall show the reports which have been received to the candidates or their representatives, and shall decide at once any objection that may be made to the votes recorded in them on the ground that the report does not comply with the provisions of rule 6, sub-rule (5).

(5) The decision of the Returning Officer shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

8. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

9. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the reports and all other documents relating to the election, and shall retain the same for a period of six months, and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

10. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

11. The Local Government shall appoint, and notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the attestation of nomination papers under rule 3 ;

(*b*) the scrutiny of nomination papers under rule 4 ;

(*c*) the meetings of Municipal Commissioners under rule 6 ; and

(*d*) the counting of votes under rule 7.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being qualified Commissioners of the Municipality (*or* Municipalities) of

Returning Officer (or *Chairman of the Municipality of*

Date of attestation.

Instructions.

1. Nomination papers shall be presented for attestation to the Returning Officer or to the Chairman of one of the Municipalities in the group not later than on the day of 19 .

FORM II.

(See rule 6.)

ELECTION OF A MEMBER TO THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF EASTERN BENGAL AND ASSAM BY THE MUNICIPALITIES OF THE DIVISION.

The votes of the Municipality have been given to the candidate (*or* candidates) as noted below :—

Serial No.	Name of candidate.	No. of votes given to each candidate.

Chairman of the meeting of
Municipal Commissioners.

Date

Countersigned.

Chairman of the Municipality.

Date

SCHEDULE III.

[*See Regulation II, sub-head (iii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE DISTRICT AND LOCAL BOARDS.

Preliminary.

1. (1) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorate.

2. (1) Of the five Members specified in Regulation II, sub-head (iii), one shall be elected by the District Boards of each division of the Province.

Explanation.—For the purposes of this rule, the term "District Board" shall be deemed to include a Local Board in the districts of the Surma Valley and Assam Valley Divisions.

(2) The election shall be made by the votes of the members of the District Boards in the Division other than (*a*) the Chairman, if an official, and (*b*) the members appointed *ex officio*.

(3) The number of votes which the members of each District Board shall be entitled to give shall be regulated by the ordinary income possessed by it as follows, namely :—

One vote if the ordinary income of the Board does not exceed Rs. 1,00,000, and one additional vote for every additional Rs. 1,00,000 or portion thereof.

Explanation.—By "ordinary income" is meant the total income of the Board, excluding the opening balance, and entries under the account head "Debt".

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who has a place of residence within the Division and such practical connection with it as qualifies him to represent it may be nominated as a candidate for election, if he—

(*a*) is a member of any District Board in that Division; or

(*b*) has served as a member of a District Board within that Division for a period of not less than three years; or

(*c*) is entered in the electoral roll of landholders entitled to elect a Member or Members for the Legislative Council of the Lieutenant-Governor of Eastern Bengal and Assam.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Returning Officer or the Chairman of a District Board to any elector asking for the same.

(3) Every nomination paper shall be subscribed as proposer and seconder by two qualified members of District Boards included within the Division for which an election is being held:

Provided that no member of a District Board shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time appointed by the Local Government in this behalf either to the Returning Officer or to the Chairman of one of the District Boards within the Division, and, if attested by the Chairman of a District Board, it shall be despatched by him without delay by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

4. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of hi own motion or on objection made, reject any nomination paper on the ground that it doe not comply with the provisions of rule 3, sub-rules (3) and (4), and his decision shall b endorsed upon such paper, and shall be final, subject to reversal by the Local Govern nent i the event of the election being questioned under Regulation XVI.

Voting.

5. (1) If in any Division one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe, and shall send a list of the candidates to each District Board within the Division.

6. (1) The Chairman of each District Board within the Division shall summon a meeting of the members of the District Board qualified to vote under rule 2, sub-rule (2), for such date as may be fixed by the Local Government in this behalf, and shall in the first instance explain to the members who are present at that meeting the rules for the election.

(2) The Chairmam shall then, if he is an official, withdraw from the meeting, and the Vice-Chairman shall preside over the meeting:

Provided that, if the Vice-Chairman is absent, the members present shall proceed to elect a Chairman from among their number.

(3) It shall then be decided by the votes of the members present how all or any of the votes allotted to the Board shall be given, and in the case of an equality of votes the Chairman of the meeting shall have the casting vote.

(4) The Chairman of the meeting shall forthwith report to the Returning Officer the number of votes given to any candidate or candidates on the list.

(5) Such report shall be made in Form II annexed to this Schedule, and shall be signed by the Chairman of the meeting and countersigned by the Chairman of the District Board if he did not preside at such meeting.

Counting of votes and declaration of result.

7. (1) On the date and at the time and place appointed by the Local Government in this behalf, the Returning Officer shall count the votes recorded in the reports sent up from the District Boards in the Division.

(2) No report received bythe Returning Officer after the time appointed for the counting of the votes shall be taken into account by him.

(3) Every candidate may be present in person, or may send a representative, duly authorized by him in writing, to be present at the counting of votes.

(4) The Returning Officer shall show the reports which have been received to the candidates or their representatives, and shall decide at once any objection that may be made to the votes recorded in them on the ground that the report does not comply with the provisions of rule 6, sub-rule (5).

(5) The decision of the Returning Officer shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

8. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

9. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the reports and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

10. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

11. The Local Government shall appoint, and notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the attestation of nomination papers under rule 3;

(*b*) the scrutiny of nomination papers under rule 4;

(*c*) the meeting of the members of District Boards under rule 6; and

(*d*) the counting of votes under rule 7.

FORM I.

(*See rule 3.*)

NOMINATION PAPER

1. Name of candidate.
2. Father's name.
3. A e.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being qualified members of the District Board (*or* Boards) of .

Returning Officer (or *Chairman of the District Board of*

Date of attestation.

Instruction.

1. Nomination papers shall be presented for attestation to the Returning Officer or to the Chairman of one of the District Boards in the Division not later than 5 P.M. on the day of

FORM II.

(*See rule 6.*)

ELECTION OF A MEMBER TO THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF EASTERN BENGAL AND ASSAM BY THE DISTRICT BOARDS OF THE DIVISION.

The votes of the District Board have been given to the candidate (*or* candidates) as noted below :—

Serial No.	Name of candidate.	No. of votes given to each candidate.

Chairman of the meeting of
Members of the District Board.

Date

Countersigned.

Chairman of the District Board.

Date

SCHEDULE IV

[*See Regulation II, sub-head (iv), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE LANDHOLDERS

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. (1) Of the two Members specified in Regulation II, sub-head (iv),—

(*a*) one shall be elected by landholders of the Dacca and the Rajshahi Divisions alternately, and

(*b*) the other by landholders of the Chittagong and the Surma Valley and Hill Districts (excluding the Hill Districts) Divisions alternately:

Provided that the landholders of the Dacca and the Chittagong Divisions respectively shall have the first right of election.

(2) For the purposes of these rules, the Surma Valley and Hill Districts Division shall be deemed to include the district of Goalpara.

Qualifications of electors.

3. The election shall be made by landholders qualified to vote and having a place of residence within the Division concerned, who—

(*a*) hold in their own right as proprietors or as permanent tenure-holders within the Division one or more estates or shares of estates, or one or more tenures held direct from the zamindar or shares of such tenures, and pay in respect thereof land-revenue or cess as follows, namely:—

(i) in the case of the Surma Valley and the Hill Districts Divisions, land-revenue amounting to not less than five hundred rupees or cess amounting to not less than one hundred and twenty-five rupees per annum; and

(ii) in the case of the other Divisions, land-revenue amounting to not less than three thousand rupees or cess amounting to not less than seven hundred and fifty rupees per annum;

(*b*) hold titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab:

(2) Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Explanation.—For the purposes of this rule—

(1) a manager or a trustee or the holder of a religious endowment, such as a *mahant* or a *gushain*, or the *mutawali* or manager of a Muhammadan *wakf*, shall not as such be deemed to be a person who holds estates or tenures in his own right within the meaning of this rule;

(2) except in the Assam Valley Division and the Surma Valley and Hill Districts Division, a person shall not be deemed to hold an estate or share of an estate in his own right unless such estate or share is registered in his name in registers maintained under the Land Registration Act, 1876;

(3) where an estate or a share of an estate is held by two or more persons jointly, and the share held by each is not specified in the registers referred to above, it shall be assumed, until the contrary is shown, that they hold equal shares;

(4) the term "cess" refers to the cesses levied by Government under the Cess Act, 1880, and includes also the local rates levied in Assam under the Assam Local Rates Regulation, 1879;

(5) within the Assam Valley Division and Surma Valley and Hill Districts Division the term "proprietor" includes landholders as defined in the Assam Land and Revenue Regulation, 1886.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the said Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) on such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the said roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll of the Division concerned may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer or by the District Magistrate of any district to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors of the Division concerned as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation before 5 P.M. on the day appointed by the Local Government as the latest date in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

8. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 7, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

10. (1) If in any Division one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

11. (1) The Returning Officer shall, upon such date as may be appointed by the Local Government in this behalf, sign and send by registered post to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer or a District Magistrate for the same on or before the day appointed as the latest date for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall attend for the purpose before an Attesting Officer on any day up to 5 P. M. on the day appointed by the Local Government as the latest date for the attestation of voting papers.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions, and shall deliver to him an envelope in which to enclose his voting paper after he has voted.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

12. (1) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 13 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

17. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

18. The Local Government shall appoint, and notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 4;

(*b*) the attestation of nomination papers under rule 7;

(*c*) the scrutiny of nomination papers under rule 9;

(*d*) the sending of voting papers under rule 11;

(*e*) the attestation of voting papers under rule 11; and

(*f*) the counting of votes under rule 14.

FORM I.

(*See rule 4.*)

ELECTORAL ROLL OF LANDHOLDERS OF THE DIVISION.

Serial No. on roll.	— Name of district.	Name of elector.	Father's name.	Address.	Qualification.
1	2	3	4	5	6

ORM II.

(*See rule 7.*)

NOMINATION PAPER

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Landholders of the Division.

Attesting Officer.

Date

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of and between the hours of and , at the office of an Attesting Officer.

FORM III.

(*See rule 11.*)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of Eastern Bengal and Assam by the Landholders of the Division. The following candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose on or before the day of 19 and between the hours of and .

I hereby declare that I am the person whose name appears as No. on the electo l roll of Landholders of the Division.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 12.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

20

Attesting Officer.

SCHEDULE V.

[*See Regulation II, sub-head* (*v*), *and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties;

(2) "Commissioner of the Division" or "Commissioner" includes any officer deputed for the time being by the Commissioner of the Division to perform all or any of his duties under these rules;

(3) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties; and

(4) "Sub-division" includes the *Sadr* Sub-division, and also includes the whole district in the case of the districts of Jalpaiguri, Malda, Bogra, Cachar and the districts of the Assam Valley Division; and "Sub-divisional Officer" includes the District Magistrate when he is in direct charge of the *Sadr* sub-division and in the districts enumerated above.

2. Of the four Members specified in Regulation II, sub-head (v), one Member shall be elected by the qualified electors in each of the following Divisions, namely:—

(1) the Dacca Division,

(2) the Chittagong Division (excluding the Chittagong Hill Tracts), and

(3) the Rajshahi Division;

and one Member shall be elected alternately by the qualified electors in—

(4) the Surma Valley and Hill Districts Division (excluding the Hill Districts)

(5) the Assam Valley Division (excluding the Garo Hill Districts):

Provided that the electors of the Surma Valley and Hill Districts Division shall have the first right of election.

Qualifications of electors.

3. The election shall be made by the votes of delegates to be selected in the manner hereinafter prescribed by Muhammadans qualified to vote and having a place of residence in the electoral area concerned, who—

(*a*) hold titles conferred or recognised by the Government; or

(*b*) hold the Kaisar-i-Hind Medal; or

(*c*) are members of the Order of the Star of India or the Order of the Indian Empire; or

(*d*) are Ordinary or Honorary Fellows of the University of Calcutta; or

(*e*) are Graduates of any University in the United Kingdom or British India; or

(*f*) are Honorary Magistrates; or

(*g*) being holders of certificates of having passed the final examination of a recognised Madrassa, are teachers in any High School recognised by the Calcutta University, or any College affiliated thereto, or any Madrassa recognised by the Government, or are Registrars authorised to act under the Bengal Muhammadan Marriages and Divorces Registration Act, 1876; or

(*h*) are holders in their own right as proprietors or permanent tenure-holders within the Division of one or more estates or shares of estates, or of one or more permanent tenures held direct from the zamindar, or shares of such tenures, and pay in respect thereof land-revenue or cess as follows, namely;—

(i) in the case of the Assam Valley Division, land-revenue amounting to not less than fifty rupees per annum; and

(ii) in the other Divisions, land-revenue amounting to not less than one-hundred rupees or cess amounting to not less than fifty rupees per annum;

(*i*) are *jotedars* in the district of Goalpara paying rent amounting to not less than two hundred and fifty rupees per annum ; or

(*j*) pay income-tax on their own account on an income of not less than one thousand rupees per annum ; or

(*k*) are in receipt of pensions from the Government of not less than fifty rupees per mensem :

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Explanation.—For the purposes of this rule—

(1) "holder in his own right" includes a *mutawali* or manager of a *wakf* estate, but does not include a trustee or a manager in an estate other than a *wakf* estate;

(2) except in the Assam Valley Division and the Surma Valley and Hill Districts Division, a person shall not be deemed to hold an estate or a share of an estate in his own right, within the meaning of this rule, unless such estate or share is registered in his name in registers maintained under the Land Registration Act, 1876 ;

(3) where an estate or a share of an estate is held by two or more persons jointly and the share held by each is not specified in the registers referred to in sub-rule (2), it shall be assumed, until the contrary is shown, that they hold equal shares.

(4) the term "cess" means the cesses levied by Government under the Cess Act, 1880, and includes also the local rates levied in Assam under the Assam Local Rates Regulation 1879 ;

(5) within the Assam Valley Division and Surma Valley and Hill Districts Division the term "proprietor" includes landholders as defined in the Assam Land and Revenue Regulation, 1886, and in the Assam Valley Division the term also includes settlement-holders as defined in the said Regulation.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the said roll in the local official, Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate and of every Sub-divisional Officer.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At any time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Every such appeal shall be preferred within one week from the date of the order appealed against :

Provided that the Commissioner may, for sufficient reason, extend the time to period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll as added to or altered on such revision, shall be published and posted as provided in rule 4.

Selection of delegates.

7. The electors of each district or sub-division mentioned in the following table shall be entitled to select the number of delegates assigned therein to such district or sub-division, namely :—

TABLE.

DACCA DIVISION.

		Delegates.
District—Dacca—		
Sub-division—Sadr	...	2
Narayanganj	...	2
Manikganj	...	1
Munshiganj	...	2
District—Mymensingh—		
Sub-division—Sadr	...	3
Jamalpur	...	2
Tangail	...	3
Netrakona	...	2
Kishoreganj	...	2
District—Faridpur—		
Sub-division—Sadr	...	2
Madaripur	...	2
Goalundo	...	1
District—Bakarganj—		
Sub-division—Sadr	...	3
Patuakhali	...	2
Pirojpur	...	1
Dakshin-Shabazpur	...	1
Total	...	31

CHITTAGONG DIVISION.

District—Chittagong—		
Sub-division—Sadr	...	3
Cox Bazar	...	1
District—Tippera—		
Sub-division—Sadr	...	3
Brahmanbaria	...	2
Chandpur	...	1
District—Noakhali—		
Sub-division—Sadr	...	3
Feni	...	1
Total	...	14

RAJSHAHI DIVISION.

District—Rajshahi—		
Sub-division—Sadr	...	2
Naugaon	...	2
Nator	...	1
District—Dinajpur—		
Sub-division—Sadr	...	2
Balurghat	...	1
Thakurgaon	...	1
District—Jalpaiguri	...	1
District—Rangpur—		
Sub-division—Sadr	...	2
Gaibanda	...	2
Nilphamari	...	1
Kurigaon	...	1
District—Bogra	...	3
District—Pabna—		
Sub-division—Sadr	...	2
Sirajgunj	...	3
District—Malda	...	2
Total	...	26

SURMA VALLEY AND HILL DISTRICTS DIVISION.

District—Cachar	...	1
District—Sylhet—		
Sub-division—Sadr	...	1
South Sylhet	...	1
Habigan j	...	1
Sunamganj	...	1
Karimganj	...	1
Total	...	6

ASSAM VALLEY DIVISION.

District—Goalpara	...	1
Kamrup	...	1
Darrang	...	1
Nowgong	...	1
Sibsagar	...	1
Lakhimpur	...	1
Total	...	6

8. (1) Any person whose name is on the electoral roll may be nominated for selection as a delegate by the electors of the sub-division under which his name is entered in the electoral roll.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this S hedule, which shall be supplied by the Returning Officer or Sub-divisional Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder and shall be attested by an Attesting Officer in the manner prescribed on the face of the form

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented to an Attesting Officer for attestation before 5 P.M. on any day n t later than the date appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer to the Returning Officer by registered post.

9. Nomination papers which are not received by the Returning Officer before the date and time appointed for the receipt of nomination papers shall be rejected.

10. (1) If the number of candidates duly nominated for selection as delegates in any sub-division is less than or equal to the number of delegates to be selected, the Returning Officer shall declare such candidate or candidates to be selected.

(2) If the number of candidates duly nominated for selection as delegates is greater than the number of delegates to be selected, tho Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

11. (1) The Returning Officer shall, upon such date as may be appointed by the Local Government in this behalf, sign and send to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer or a Sub-divisional Officer for the same on or before the day appointed as the latest date for the attestation of voting papers under this rule and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) On any day up to 5 P.M. of the day appointed by the Local Government as the latest date for the attestation of voting papers, every elector desirous of recording his vote shall attend for the purpose before an Attesting Officer within the sub-division for which he is qualified as an elector.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions, and shall deliver to him an envelope in which to enclose his voting paper after he has voted.

(4) The elector shall then proceed to a place screened fro m observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

12. The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envlopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

13. (1) On such date as may be appointed by the 'Local Government in this behalf, the Returning Officer shall examine the voting papers and count the votes, and shall endorse "rejected" on any voting paper which he may reject, and mark "discarded" against any vote which he may discard, on the ground that it does not comply with the instructions one the voting paper.

(1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of votes has been given to be selected.

(3) Where an equality of votes is found to exist between any candidates and the addition of a vote with entitle any of the candidates to be declared selected, the determination of the person or pe s ns to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(4) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the selection of delegates, and shall retain the same for a perio l of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

14. The Returning Officer shall without delay report the result of the selection to the Commissioner of the Division, who shall publish the names of the delegates selected in such manner as the Local Government may prescribe. The Returning Officer shall also report the names of the delegates selected to the Secretary to the Legislative Council, and they shall be published in the local official Gazette.

Qualifications and nomination of candidates.

15. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll of the Division concerned may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form IV annexed to this Schedule, which shall be supplied by a District Magistrate to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors of the Division concerned as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on such dates and at such times as may be appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer to the Commissioner by registered post.

16. Nomination papers which are not received by the Commissioner before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

17. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Commissioner shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Commissioner shall decide on the validity of any objection made to any nomination paper on the ground that it does not comply with the provisions of rule 15, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

18. (1) If in any Division one candidate only is duly nominated, the Commissioner shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Commissioner shall forthwith publish their names in such manner as the Local Government may prescribe.

19. (1) On or before such date as may be appointed by the Local Government in this behalf, the Commissioner shall sign and send to each delegate by registered post a voting paper in Form V annexed to this Schedule, in which shall be entered the names of the candidates :

Provided that such a voting paper shall also be supplied to any delegate on his applying to the Commissioner or District Magistrate for the same on or before the day appointed as the latest date for the attestation of voting papers under this rule and that no election shall be invalidated by reason of the non-receipt by a delegate of his voting paper.

(2) Every delegate desirous of recording his vote shall attend for the purpose before an Attesting Officer, on any day up to 5 P.M. on the day appointed by the Local Government as the latest date for the attestation of voting papers.

(3) The delegate shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions, and shall deliver to him an envelope in which to enclose his voting paper after he has voted.

(4) The delegate shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The delegate shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the delegate to comply with any of these instructions shall render the vote invalid.

20. (1) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Commissioner by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Commissioner by registered post a list in Form VI annexed to this Schedule of the delegates whose voting papers he has attested

Counting of votes and declaration of result.

21. (1) On receiving the voting papers the Commissioner shall examine them to see whether they have been correctly filled up.

(2) The Commissioner shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Commissioner shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the delegate and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

22. (1) The Commissioner shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Commissioner shall show the voting papers sealed as provided by rule 21 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Commissioner of a voting paper, it shall be decided at once by the Commissioner, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Commissioner shall record on the voting paper the nature of the objection and his decision thereon.

23. (1) When the counting of the votes has been completed, the Commissioner shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Commissioner and in such manner as he may determine.

24. Upon the completion of the counting and after the result has been declared by him, the Commissioner shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

25. The Commissioner shall without delay report the result of the election to the Secretary to the Legislative Council, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

26. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 4 ;

(*b*) the attestation of nomination papers under rule 8 ;

(*c*) the receipt of nomination papers under rule 9 ;

(*d*) the sending of voting papers to electors under rule 11 ;

(*e*) the attestation of voting papers under rule 11 ;

(*f*) the counting of votes under rule 13 ;

(*g*) the attestation of nomination papers under rule 15 ;

(*h*) the scrutiny of nomination papers under rule 17 ;

(*i*) the sending of voting papers to delegates under rule 19 ;

(*j*) the attestation of voting papers under rule 19 ; and

(*k*) the counting of votes under rule 22 ;

FORM I.

(*See rule 4.*)

ELECTORAL ROLL OF MUHAMMADANS OF THE DIVISION.

Serial No. of roll.	Name of district.	Name of sub-division.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6	7

FORM II.

(*See rule 8.*)

NOMINATION PAPER FOR CANDIDATE FOR THE OFFICE OF DELEGATE.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. District or Sub-division for which the candidate stands for selection as delegate.

6. Signature of proposer.

7. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Muhammadans for the Division of Eastern Bengal and Assam.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of 19 , and between the hours of and , at the office of an Attesting Officer.

FORM III.

(*See rule 11.*)

VOTING PAPER FOR THE SELECTION OF DELEGATES.

Delegates are to be selected by the electors of Sub-division (*or* District) to vote for the election of a Member to the Legislative Council of the Lieutenant-Governor of Eastern Bengal and Assam on behalf of the Muhammadans of the Division. The following candidates have been duly nominated :—

Serial No.	Names of candidates.	Votes.

Returning Officer.

Instructions.

1. Each elector has as many votes as there are delegates to be selected.

2. If he has more votes than one, he may give all his votes to one candidate, or may distribute them in any manner he thinks fit among the candidates.

3. He shall vote by placing, or causing to be placed, opposite the name of the candidate (*or* candidates) the mark × or as many such marks as the number of votes which he desires to give to such candidate.

4. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of delegates to be selected.

5. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

6. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

7. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied by him for the purpose on or before the day of 19 and between the hours of and

I hereby declare that I am the person whose name appears as No. on the electoral roll of Muhammadans of the Division for the election of a Member to the Legislative Council of the Lieutenant-Governor of Eastern Bengal and Assam.

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

Attesting Officer.

FORM IV.

(See rule 15.)

NOMINATION PAPER FOR CANDIDATE FOR MEMBERSHIP OF COUNCIL.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Muhammadans of the Division for the election of a Member to the Legislative Council of the Lieutenant-Governor of Eastern Bengal and Assam.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of 19 and between the hours of and at the office of an Attesting Officer.

FORM V.

(See rule 19.)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of Eastern Bengal and Assam by the delegates appointed by the Muhammadan community in the Division. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Commissioner.

Instructions.

1. Each delegate has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the delegate shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied by him for the purpose on or before the day of 19 and between the hours of and .

I hereby declare that I am one of the Delegates appointed by the Muhammadan community for the election of a Member to the Legislative Council of the Lieutenant-Governor of Eastern Bengal and Assam for the Division.

Delegate.

(*Fold on this line.*)

Signed in my presence by the Delegate, who is personally known to me (*or* who has been identified to my satisfaction).

Attesting Officer.

FORM VI.

(See rule 20.)

LIST OF DELEGATES WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the Delegates whose voting papers have been attested by me :—

Serial No.	Name of Delegate.	Address.

20

Attesting Officer.

SCHEDULE VI.

[*See Regulation II, sub-head (vi), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE TEA INTEREST.

1. The two Members specified in Regulation II, sub-head (vi), shall be elected by—

the Assam Branch of the Indian Tea Association,

the Surma Valley Branch of the Indian Tea Association, and

the Duars Planters' Association.

2. Whether one or two Members is or are to be elected, the Associations mentioned above shall exercise voting power according to the following scale :—

	Votes.
the Assam Branch of the Indian Tea Association	4
the Surma Valley Branch of the Indian Tea Association	4
the Duars Planters' Association	2

Provided that no Association shall give to one candidate more than half the number of votes allotted to it.

3. (1) Each of the Associations mentioned in rule 1 may nominate one candidate for election as a Member.

(2) Any person not ineligible for election under these Regulations may be nominated as a candidate.

4. (1) The name and address of the candidate nominated by each Association shall be reported to the Secretary to the Legislative Council on or before the date appointed by the Local Government in this behalf.

(2) Nominations which are not received by the Secretary before that date shall be rejected.

5. If the number of candidates duly nominated does not exceed the number of Members to be elected, the candidate or candidates so nominated shall be declared to be elected.

6. If the number of candidates duly nominated exceeds the number of Members to be elected, the Secretary to the Legislative Council shall forthwith send a list of the candidates who have been nominated to each of the Associations mentioned above.

7. Nominations shall be made and votes shall be given by each Association in the manner laid down in its rules for deciding questions of business brought before it.

8. The Chairman of each Association shall report to the Secretary to the Legislative Council, on or before such date as may be appointed by the Local Government in this behalf, the number of votes given to each candidate on the list.

9. The candidate or candidates receiving the highest number of votes shall be forthwith declared by the Secretary to the Legislative Council to be elected, and the names of the candidate or candidates so elected shall be published in the local official Gazette:

Provided that, where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared to be elected, votes shall be taken again under the same procedure to determine which of such candidates shall be declared to be elected.

10. The Local Government shall appoint, and shall notify, in such manner as it thinks fit such dates as it may think suitable for—

(*a*) the report of nominations to the Secretary to the Council, and

(*b*) the report to the Secretary to the Council of the number of votes given by each Association to each candidate.

SCHEDULE VII.

[*See Regulation II, sub-head (vii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE JUTE INTEREST.

1. The Member specified in Regulation II, sub-head (vii), shall be elected by the members of the Naraingaŋj Chamber of Commeree.

2. Any person not ineligible for election under these Regulations may be elected.

3. On or before such date as may be appointed by the Lieutenant-Governor in this behalf, the election shall be made by the said Chamber in the manner prescribed in the rules of the Chamber for deciding questions of business brought before it.

4. The Chairman of the Chamber shall forthwith report the result of the election to the Secretary to the Legislative Council, and the name of the candidate elected shall be published in the local official Gazette.

No. IX.—Legislative Council of the Lieutenant-Governor of Burma.

No. 21.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Members of the Legislative Council of the Lieutenant-Governor of Burma :

REGULATIONS FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF BURMA.

Number of Members.

I. (1) The Members of the Legislative Council of the Lieutenant-Governor of Burma shall ordinarily consist of—

A.—One Member elected under Regulation II ;

B.—Fourteen Members nominated by the Lieutenant-Governor, with the sanction of the Governor General, of whom not more than six may be officials ; the rest shall be non-officials, of whom not less than four shall be selected from the Burmese population, and one from the Indian and one from the Chinese communities.

(2) In addition to the fifteen Members above specified, the Lieutenant Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Members of the Council :

Provided that it shall not be lawful for the Lieutenant-Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

Elected Member.

II. (1) The Member specified in head A of rule I shall be elected by the members of the Burma Chamber of Commerce, in accordance with the following procedure.

(2) Any person, not ineligible for election under these Regulations, who is at the date of the election a member of the said Chamber shall be eligible for election.

(3) On or before such date as may be appointed by the Lieutenant-Governor in this behalf, the said Chamber shall elect the Member aforesaid in such manner as a Commissioner for the Port of Rangoon is for the time being elected by the said Chamber under section 7 of the Rangoon Port Act, 1905.

(4) The Chairman of the said Chamber shall forthwith report the result of the election to the Secretary to the Legislative Council, and the name of the candidate elected shall be published in the local official Gazette.

Ineligible candidates.

III.—No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject, or

(*b*) is a female, or

(*c*) has been adjudged by a competent Civil Court to be of unsound mind, or

(*d*) is under twenty-five years of age, or

(*e*) is an uncertificated bankrupt or an undischarged insolvent, or

(*f*) has been dismissed from the Government service, or

(*g*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(*h*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*i*) has been declared by the Lieutenant-Governor to be of such reputation and antecedents that his election would, in his opinion, be contrary to the public interest :

Provided that in cases (*f*), (*g*), (*h*) and (*i*) the disqualification may be removed by an order of the Lieutenant-Governor in this behalf.

Oath of office.

IV. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

> I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ a Member of the Legislative Council of the Lieutenant-Governor of Burma, do solemnly swear (*or* affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, his heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

V. (1) If any person,—

(*a*) not being eligible for election, is elected under these Regulations, or,

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*c*), (*e*), (*f*), (*g*) or (*h*) of Regulation III, or fails to make the oath or affirmation prescribed by Regulation IV within such time as the Lieutenant-Governor considers reasonable,

the Lieutenant-Governor shall, by notification in the Burma Gazette, declare his election or nomination to be void, or his seat to be vacant.

(2) When any such declaration is made, the Lieutenant-Governor shall, by notification as aforesaid, call upon the Chamber to elect another person within such time as may be prescribed by such notification or shall, with the sanction of the Governor General, nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Lieutenant-Governor may, with the like sanction, nominate any person who is eligible for election by the Chamber.

Term of office.

VI. (1) Save as provided in clause (2) and subject to the provisions of Regulation XIII, the term of office of a Member shall be three years from the date of his election or nomination, as the case may be :

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Lieutenant-Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office as long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

VII. (1) When a vacancy occurs in the case of the elected Member, or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Lieutenant-Governor shall appoint, by notification as aforesaid, a date from which the Chamber shall proceed in the manner prescribed to elect a person for the purpose of filling the vacancy.

(2) When a vacancy occurs in the case of a nominated Member, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person to the vacancy.

Failure to elect.

VIII. If within two months from the date appointed under Regulation VII the Chamber fails to elect, the Lieutenant-Governor may, with the like sanction, nominate at his discretion any person who is eligible for election by the Chamber.

Quorum.

IX. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Lieutenant-Governor of Burma,

shall be exercised only at meetings at which—

(*a*) the Lieutenant-Governor, or

(*b*) the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909, or,

(*c*) in the case of the discussions referred to in section 5 of the said Act, a Member appointed to preside in pursuance of a rule made under that section,

and six or more Members of the Council are present.

Corrupt practices.

X. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it has been committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Disputes as to validity of elections.

XI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Lieutenant-Governor shall, after such enquiry (if any) as he may consider necessary, declare, by notification in the local official Gazette, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Lieutenant-Governor shall, by notification as aforesaid, call upon the said Chamber to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the Chamber fails to elect, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person who is eligible for election by the Chamber.

Finality of decisions.

XII. The decision of the Lieutenant-Governor on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Lieutenant-Governor shall, by notification as aforesaid, call upon the Burma Chamber of Commerce to elect a Member in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed the Chamber fails to elect, the Lieutenant-Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by the Chamber.

No. X.—Legislative Council of the Governor-General of India—

Notification to electorates; Discussion of Annual Financial Statement; Discussion of matters of General Public Interest; Asking of Questions.

No. 22.—In pursuance of the provisions of Regulation XVIII of the Regulations for the nomination and election of Additional Members of his Legislative Council, the Governor General is pleased to call upon the electorates mentioned below, being the electorates referred to in Regulation III of the said Regulations, to elect in accordance with the said Regulations the Member or Members assigned to them respectively before the seventh day of January 1910 :—

Electorates.	Members.
(*i*) The non-official Additional Members of the Council of the Governor of Fort St. George	2
(*ii*) The non-official Additional Members of the Council of the Governor of Bombay	2
(*iii* The non-official Members of the Council of the Lieutenant-Governor of Bengal	2
(*iv*) The non-official Members of the Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh	2
(*v*) The non-official Members of the Council of the Lieutenant-Governor of the Punjab	1
(*vi*) The non-official Members of the Council of the Lieutenant-Governor of Eastern Bengal and Assam	1
(*vii*) The non-official Members of the Council of the Lieutenant-Governor of Burma	1
(*viii*) The District Councils and Municipal Committees in the Central Provinces	1
(*ix*) The Landholders in the Presidency of Fort St. George	1
(*x*) The Jagirdars and Zamindars of Sind	1
(*xi*) The Landholders in Bengal	1
(*xii*) The British Indian Association of Oudh	1
(*xiii*) The Landholders in Eastern Bengal and Assam	1
(*xiv*) The Landholders in the Central Provinces	1
(*xv*) The Muhammadan community in the Presidency of Fort St. George	1
(*xvi*) The Muhammadan non-official Additional Members of the Legislative Council of the Governor of Bombay	1
(*xvii*) The Muhammadan community in Bengal	1
(*xviii*) The Muhammadan community in the United Provinces of Agra and Oudh	1
(*xix*) The Muhammadan community in Eastern Bengal and Assam	1
(*xx*) The Bengal Chamber of Commerce	1
(*xxi*) The Bombay Chamber of Commerce	1

The 15th November 1909.

No. 23.—In exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, the Governor General in Council has, with the sanction of the Secretary of State for India in Council, made the following rules authorising, at any meeting of the Legislative Council of the Governor General, the discussion of the annual financial statement of the Governor General in Council.

Rules for the discussion of the Annual Financial Statement in the Legislative Council of the Governor General.

DEFINITIONS.

1. In these rules—

(1) "President" means—

(*a*) the Governer General, or

(*b*) the President nominated by the Governor General in Council under section 6 of the Indian Councils Act, 1861, or

(*c*) the Vice-President appointed by the Governor General under section 4 of the Indian Councils Act, 1909, or

(*d*) the Member appointed to preside under rule 27 ;

(2) "Member in charge" means the Member of the Council of the Governor General to whom is allotted the business of the Department of the Government of India to which the subject under discussion belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules ;

(3) "Finance Member" means the Member in charge of the Finance Department of the Government of India ;

(4) "Secretary" means the Secretary to the Government of India in the Legislative Department, and includes the Deputy Secretary and every person for the time being exercising the functions of the Secretary ;

(5) "Financial Statement" means the preliminary financial estimates of the Governor General in Council for the financial year next following ; and

(6) "Budget" means the Financial Statement as finally settled by the Governor General in Council.

A.—THE FINANCIAL STATEMENT.

General order of discussion.

2. (1) On such day as may be appointed in this behalf by the Governor General, the Financial Statement with an explanatory memorandum shall be presented to the Council every year by the Finance Member, and a printed copy shall be given to every Member.

(2) No discussion of the Financial Statement shall be permitted on such day.

3. (1) On such later day as may be appointed in this behalf by the Governor General, the first stage of the discussion of the Financial Statement in Council shall commence.

(2) On this day, after the Finance Member has stated any changes in the figures of the Financial Statement which circumstances may since have rendered necessary and has made any explanations of that Statement which he may think fit, any Member shall be at liberty to move any resolution entered in his name in the list of business relating to any alteration in taxation, any new loan or any additional grant to Local Governments proposed or mentioned in such Statement or explanatory memorandum, and the Council shall thereupon proceed to discuss each such resolution in the manner hereinafter prescribed.

4. (1) The second stage of the discussion of the Financial Statement shall commence as soon as may be after all the resolutions which may be moved as aforesaid have been disposed of.

(2) In this stage each head or group of heads specified in the statement contained in the Schedule appended to these rules as being open to discussion, shall be considered separately according to such grouping as the Member in charge may determine.

(3) The consideration of a particular head or group of heads shall be introduced by the Member in charge with such explanations, supplementing the information contained in the Financial Statement, as may appear to him to be necessary.

(4) Any Member shall then be at liberty to move any resolution relating to any question covered by any such head or group of heads which may be entered in his name in the list of business, and the Council shall thereupon proceed to discuss every such resolution in the manner hereinafter prescribed.

Subjects excluded from discussion.

5. No discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Legislative Council of the Governor General by section 22 of the Indian Councils Act, 1861 ; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or any Native State in India ; or

(*c*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

Resolutions.

6. No resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommendation addressed to the Governor General in Council ;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue ;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity ;

(*d*) it shall not challenge the accuracy of the figures of the Financial Statement ; and

(*e*) it shall be directly relevant to some entry in the Financial Statement.

7. A Member, who wishes to move a resolution, shall give notice in writing to the Secretary at least two clear days before the commencement of the stage of the discussion to which the resolution relates, and shall together with the notice submit a copy of the resolution which he wishes to move.

8. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of a Local Government.

9. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 8.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

10. Resolutions admitted by the President shall be entered in the list of business in such order as he may direct.

Discussion of Resolutions.

11. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion except with the permission of the President for the purpose of making an explanation.

12. No speech, except with the permission of the President, shall exceed fifteen minutes in duration :

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

13. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

14. A Member who has moved a resolution may withdraw the same unless some Member desires that it be put to the vote.

15. When, in the opinion of the President, a resolution has been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may in all cases address the Council before putting the question to the vote.

16. If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

17. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

18. (1) The President may assign such time as with due regard to the public interests he may consider reasonable for the discussion of resolutions or of any particular resolution.

(2) Every resolution which shall not have been put to the vote within the time so assigned shall be considered to have been withdrawn.

19. Every resolution, if carried, shall have effect only as a recommendation to the Governor General in Council.

20. When a question has been discussed at a meeting of th Council, or when a resolution has been disallowed under rule 8 or withdrawn under rule 14, no resolution raising substantially the same question shall be moved within one year.

B.—The Budget.

21. (1) On or before the 24th day of March in every year the Budget shall be presented to the Council by the Finance Member, who shall describe the changes that have been made in the figures of the Financial Statement, and shall explain why any resolutions passed in Council have not been accepted.

(2) A printed copy of the Budget shall be given to each Member.

22. (1) The general discussion of the Budget in Council shall take place on such later day as may be appointed by the President for this purpose.

(2) At such discussion, any Member shall be at liberty to offer any observations he may wish to make on the Budget, but no Member shall be permitted to move any resolution in regard thereto, nor shall the Budget be submitted to the vote of the Council.

(3) It shall be open to the President, if he thinks fit, to prescribe a time limit for speeches.

23. The Finance Member shall have the right of reply, and the discussion shall be closed by the President making such observations as he may consider necessary.

C.—GENERAL.

24. (1) Every Member shall speak from his place, shall rise when he speaks and shall address the chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

25. (1) Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

(2) Any such speech may at the discretion of the President be taken as read.

26. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President thinks fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

27. The Governor General may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which the Financial Statement or the Budget or any portion thereof is discussed in the Council.

28. The President, for sufficient reason, may suspend any of the foregoing rules.

THE SCHEDULE.

Heads open to or excluded from discussion under rule 4.

REVENUE.		EXPENDITURE.	
Heads open to discussion.	*Heads not open to discussion.*	Heads open to discussion.	*Heads not open to discussion.*
I.—Land Revenue.	*IV.—Stamps.*	1.—Refunds and drawbacks.	*2.—Assignments and Compensations.*
II.—Opium.	*VII.—Customs.*	3.—Land Revenue.	*13.—Interest on debt.*
III.—Salt.	*VIII.—Assessed Taxes.*	4.—Opium.	*23.—Ecclesiastical.*
V.—Excise.	*XI.—Tributes from Native States.*	5.—Salt.	*25.—Political.*
VI.—Provincial Rates.	*XVI-A.—Courts.* *	6.—Stamps.	*27.—Territorial and Political Pensions.*
IX.—Forest.	*XXII.—Army.*	7.—Excise.	*38.—State Railways.* ‡
X.—Registration.	*XXIII.—Marine.*	8.—Provincial Rates.	*42.—Major Works: Interest on debt.*
XII.—Interest.	*XXIV.—Military Works.*	9.—Customs.	*46.—Army.*
XIII.—Post Office.	*All purely Provincial revenue and revenue accruing from divided heads in Provinces possessing Legislative Councils.*	10.—Assessed Taxes.	*46-A.—Marine.*
XIV.—Telegraph.		11.—Forests.	*47.—Military Works.*
XV.—Mint.		12.—Registration.	*47-A.—Special Defence.*
XVI-B.—Jails.		14.—Interest on other obligations.	*All statutory charges.*
XVII.—Police.		15.—Post Office.	*All purely Provincial expenditure and expenditure accruing under divided heads in Provinces possessing Legislative Councils.*
XIX.—Education.		16.—Telegraphs.	
XX.—Medical.		17.—Mint.	
XXI.—Scientific and other Minor Departments.		18.—General Administration.†	
XXII.—Receipts in aid of Superannuation, etc.		19-A.—Courts of Law.†	
XXIII.—Stationery and Printing.		19-B.—Jails.	
XXIV.—Exchange.		20.—Police.	
XXV.—Miscellaneous.		22.—Education.	
XXVI.—State Railways.		24.—Medical.	
XXVIII.—Subsidised Companies.		26.—Scientific and other Minor Departments.	
XXIX.—Irrigation, Major Works.		28.—Civil Furlough and Absentee Allowances.	
XXX.—Minor Works and Navigation.		29.—Superannuation Allowances and Pensions.	
XXXI.—Civil Works.		30.—Stationery and Printing.	
		31.—Exchange.	
		32.—Miscellaneous.	
		33.—Famine Relief.	
		34.—Construction of Protective Railways.	
		35.—Construction of Protective Irrigation Works.	
		36.—Reduction or Avoidance of Debt.	
		40.—Subsidised Companies; Land, etc.	
		41.—Miscellaneous Railway Expenditure.	
		42.—Irrigation: Major Works—Working Expenses.	
		43.—Minor Works and Navigation.	
		45.—Civil Works.	
		48.—State Railways; Capital Expenditure not charged to Revenue.	
		49.—Irrigation Works; Capital Expenditure not charged to Revenue.	

* Mainly Court-fees and fines.
† These heads include certain statutory charges, which will be excluded from debate.
‡ This head deals purely with interest, sinking funds and annuities.

The 15th November 1909.

No. 24.—In exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, the Governor General in Council has, with the sanction of the Secretary of State for India in Council, made the following rules authorising at any meeting of the Legislative Council of the Governor General the discussion of any matter of general public interest.

Rules for the discussion of Matters of General Public interest in the Legislative Council of the Governor General.

Definitions.

1. In these rules—

(1) "President" means—

(*a*) the Governor General, or

(*b*) the President nominated by the Governor General in Council under section 6 of the Indian Councils Act, 1861, or

(*c*) the Vice-President appointed by the Governor General under section 4 of the Indian Councils Act, 1909, or

(*d*) the Member appointed to preside under rule 27;

(2) "Member in charge" means the Member of the Council of the Governor General to whom is allotted the business of the Department of the Government of India to which the subject under discussion belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules; and

(3) "Secretary" means the Secretary to the Government of India in the Legislative Department, and includes the Deputy Secretary and every person for the time being exercising the functions of the Secretary.

Matters open to discussion.

2. Any matter of general public interest may be discussed in the Council subject to the following conditions and restrictions.

3. No such discussion shall be permitted in regard to any of the following subjects, namely:—

(*a*) any subject removed from the cognizance of the Legislative Council of the Governor General by section 22 of the Indian Councils Act, 1861; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or any Native State in India; or

(*c*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

Resolutions.

4. Subject to the restrictions contained in rule 3, any Member may move a resolution relating to a matter of general public interest:

Provided that no resolution shall be moved which does not comply with the following conditions, namely:—

(*a*) it shall be in the form of a specific recommendation addressed to the Governor General in Council;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue; and

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity.

5. A Member, who wishes to move a resolution, shall give notice in writing to the Secretary, at least fifteen clear days before the meeting of the Council at which he desires to move the same, and shall together with the notice submit a copy of the resolution which he wishes to move :

Provided that the President may allow a resolution to be moved with shorter notice than fifteen days, and may, in any case, require longer notice or may extend the time for moving the resolution.

6. (1) The Secretary shall submit every resolution of which notice has been given to him in accordance with rule 5 to the President, who may either admit it or, when any resolution is not framed in accordance with rule 4, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the resolution duly amended, the resolution shall be deemed to have been withdrawn.

7. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of a Local Government.

8. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 6 or rule 7.

(2) A resolution which has been disallowed shall not be entered in the proceedings of the Council.

9. Resolutions admitted by the President shall be entered in the list of business for the day in the order in which they are received by the Secretary :

Provided that the President may give priority to any resolution which he may consider to be of urgent public interest, or postpone the moving of any resolution.

Discussion of Resolutions.

10. The discussion of resolutions shall take place after all the other business of the day has been concluded.

11. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion, except, with the permission of the President, for the purpose of making an explanation.

12. No speech, except with the permission of the President, shall exceed fifteen minutes in duration :

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

13. (1) Every Member shall speak from his place, shall rise when he speaks and shall address the chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

14. (1) Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to each Member.

(2) Any such speech may at the discretion of the President be taken as read.

15. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

16. When a resolution is under discussion any Member may, subject to all the restrictions and conditions relating to resolutions specified in rules 3 and 4, move an amendment to such resolution :

Provided that an amendment may not be moved which has merely the effect of a negative vote.

17. (1) If a copy of such amendment has not been sent to the Secretary at least three clear days before the day fixed for the discussion of the resolution, any Member may object to the moving of the amendment; and such objection shall prevail unless the President in exercise of his power to suspend any of these rules allows the amendment to be moved.

(2) The Secretary shall, if time permits, cause every amendment to be printed and send a copy for the information of each Member.

18. A Member who has moved a resolution or an amendment of a resolution may withdraw the same unless some Member desires that it be put to the vote.

19. When, in the opinion of the President, a resolution and any amendment thereto have been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may in all cases address the Council before putting the question to the vote.

20. (1) When an amendment to any resolution is moved, or when two or more such amendments are moved, the President shall, before taking the sense of the Council thereon, state or read to the Council the terms of the original motion and of the amendment or amendments proposed.

(2) It shall be in the discretion of the President to put first to the vote either the original motion or any of the amendments which may have been brought forward.

21. If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

22. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

General.

23. (1) The President may assign such time as, with due regard to the public interests, he may consider reasonable for the discussion of resolutions or of any particular resolution.

(2) Every resolution which shall not have been put to the vote within the time so assigned shall be considered to have been withdrawn.

24. Every resolution, if carried, shall have effect only as a recommendation to the Governor General in Council.

25. When a question has been discussed at a meeting of the Council, or when a resolution has been disallowed under rule 7 or withdrawn under rule 18, no resolution or amendment raising substantially the same question shall be moved within one year.

26. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President thinks fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

27. The Governor General may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which a matter of general public interest is discussed in the Council

28. The President, for sufficient reason, may suspend any of the foregoing rules.

The 15th November 1909.

No. 25.—In exercise of the power conferred by section 5 of the Indian Councils Act, 1909, the Governor General in Council has, with the sanction of the Secretary of State for India in Council, made the following rules authorising the asking of questions at any meeting of the Legislative Council of the Governor General.

Rules for the asking of Questions in the Legislative Council of the Governor General.

1. In these rules—

(1) "President" means—

(*a*) the Governor General, or

(*b*) the President appointed under section 6 of the Indian Councils Act, 1861, or

(*c*) the Vice-President appointed by the Governor General under section 4 of the Indian Councils Act, 1909.

(2) "Member in charge" means the Member of the Council of the Governor General to whom is allotted the business of the Department of the Government of India to which the subject of the question belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules ; and

(3) "Secretary" means the Secretary to the Government of India in the Legislative Department, and includes the Deputy Secretary and every person for the time being exercising the functions of the Secretary.

2. Any question may be asked by any Member subject to the following conditions and restrictions.

3. No question shall be permitted in regard to any of the following subjects, namely :—

(*a*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or with any Native State in India, or

(*b*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

4. No question shall be asked unless it complies with the following conditions, namely :—

(*a*) it shall be so framed as to be merely a request for information,

(*b*) it shall not be of excessive length,

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity, and

(*d*) it shall not ask for an expression of an opinion or the solution of a hypothetical proposition.

5. In matters which are or have been the subject of controversy between the Governor General in Council and the Secretary of State or a Local Government no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.

6. A Member who wishes to ask a question shall give notice in writing to the Secretary at least ten clear days before the meeting of the Council at which he desires to put the question and shall, together with the notice, submit a copy of the question which he wishes to ask :

Provided that the President may allow a question to be put with shorter notice than ten days and may in any case require longer n tice or may extend the time for answering a question.

7. (1) The Secretary shall submit every question of which notice has been given to him in accordance with rule 6 to the President, who may either allow it or, when any question is not framed in accordance with rules 4 and 5, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the question duly amended, the question shall be deemed to have been withdrawn.

8. The President may disallow any question, or any part of a question, without giving any reason therefor other than that in his opinion it cannot be answered consistently with the public interests or that it should be put in the Legislative Council of a Local Government.

9. No discussion in Council shall be permitted in respect of any order of the President under rule 7 or rule 8.

10. Questions which have been allowed shall be entered in the list of business for the day and shall be put in the order in which they stand in the list before any other business is entered upon at the meeting.

11. Questions shall be put and answers given in such manner as the President may in his discretion determine.

12. Any Member who has asked a question may put a supplementary question for the purpose of further elucidating any matter of fact regarding which a request for information has been made in his original question.

13. The Member in charge may decline to answer a supplementary question without notice, in which case the supplementary question may be put in the form of a fresh question at a subsequent meeting of the Council.

14. These rules, except rules 6 and 7, apply also to supplementary questions:

Provided that the President may disallow any supplementary question without giving any reason therefor.

15. The President may rule that an answer to a question in the list of business for the day shall be given on the ground of public interest even though the question may have been withdrawn.

16. No discussion shall be permitted in respect of any question or of any answer given to a question.

17. All questions asked and the answers given shall be entered in the proceedings of the Council:

Provided that no question which has been disallowed by the President shall be so entered.

18. The President may assign such time as, with due regard to the public interests, he may consider reasonable for the putting and answering of questions.

J. M. MACPHERSON,

Secretary to the Government of India.

No. XI.—Resolution of the Government of India, dated 15th November, 1909.

HOME DEPARTMENT.

PUBLIC.

RESOLUTION.

Calcutta, the 15th November 1909.

No. 4213.—With the approval of the Secretary of State in Council, the Governor General in Council has to-day brought into operation the Indian Councils Act, 1909, and has published the rules and regulations relating to the nomination and election of the members of the enlarged Legislative Councils. This act marks the completion of the earnest and prolonged deliberations that were initiated by the Viceroy more than three years ago, when he appointed a Committee of his Executive Council to consider and report on the general question of giving to the peoples of India a larger measure of political representation and wider opportunities of expressing their views on administrative matters.

2. The various stages of inquiry and discussion which followed need not be reviewed at length. In the Home Department letter of the 24th August 1907 the Government of India put forward certain provisional and tentative proposals, and invited the local Governments to submit their matured conclusions, after consulting important bodies and individuals representing the various classes of the community. The voluminous opinions elicited by that letter were fully dealt with in the despatch which the Government of India addressed to the Secretary of State on the 1st October 1908, and in Lord Morley's despatch of the 27th November following. Since those papers were published, the Government of India have been engaged, in communication with the Secretary of State, in working out the principles accepted by him, and the scheme finally adopted for the future constitution of the Legislative Councils is embodied in the Indian Councils Act and in the Regulations which are published to-day. The Governor General in Council will now proceed to state briefly the extent and nature of the changes introduced and to indicate in what respects they differ from the proposals contained in the papers already published.

Size of Legislative Councils.

3. The maximum strength of each Council is fixed by the first schedule of the Act. Excluding the head of the Government and the members of the Executive Councils, it varies from 60 for the Council of the Governor General to 30 for the Councils of the Punjab and Burma, the number for each of the other five Provincial Councils being 50. The actual strength of each Council is determined by the Regulations: the statutory maximum will at present be worked up to only in the Imperial and Bengal Councils, but as will be seen from the annexed statements the numbers are in every case slightly larger than those shown in the despatch of the 1st October 1908.

The question majorities.

4. For the reasons given by the Secretary of State in his despatch of 27th November 1908 there will continue to be a majority of officials in the Governor General's Council, but the Regulations provide not only that there may be, but that there must be, a majority of non-official members in every Provincial Council. The following statement, from which the head of the Government is in each case excluded, shows the effect of this great constitutional change on the composition of each Council. It will be within the power of a local Government to increase the non-official majority by nominating less than the maximum number of officials and substituting non-officials, but that majority

cannot be reduced except to the limited extent indicated below, and then only for a specified period or in connexion with a particular measure:—

Legislative Council of	Officials.	Non-officials.	Majority.
			Official.
India	35	32	3
			Non-official.
Madras	19	26	7
Bombay	17	28	11
Bengal	17	31	14
United Provinces	20	26	6
Eastern Bengal and Assam	17	23	6
Punjab	10	14	4
Burma	6	9	3

These figures relate to the ordinary constitution of the Councils and leave out of account the two experts who may be appointed members of each Provincial Council when the legislation in hand is of a nature to demand expert advice. If these members are non-officials the majority will be strengthened, and even if both are officials it will not be entirely neutralized. The strength of the non-official majority varies with local conditions.

Interests to be represented.

5. Special provision has been made for the representation of the professional classes, the landholders, the Muhammadans, European commerce, and Indian commerce. The first of these interests will be represented on the Governor General's Council by the members elected by the Provincial Legislative Councils and by the district councils and municipal committees in the Central Provinces; and on the Provincial Councils by the representatives of the District Boards, the Municipalities, the Corporations of the Presidency towns and the Universities. The others will be represented upon all the Councils by members elected by special electorates or nominated under an express provision of the Regulations. The representative of the Bombay landholders on the Governor General's Council will be elected at the first, third and subsequent alternate elections by the landholders of Sind, a great majority of whom are Muhammadans, while at other elections he will be elected by the Sardars of Gujerat or the Sardars of the Deccan, a majority of whom are Hindus. Again the landholders of the Punjab consist of about equal numbers of Muhammadans and non-Muhammadans, and it may be assumed that their representative will be alternately a Muhammadan and non-Muhammadan. It has accordingly been decided that at the second, fourth, and succeeding alternate elections when these two seats will presumably not be held by Muhammadans, there shall be two special electorates consisting of the Muhammadan landholders who are entitled to vote for the member who represents in the Governor General's Council the landholders of the United Provinces and Eastern Bengal and Assam respectively. In some Provinces there are special interests, such as the tea and jute industries in Eastern Bengal and Assam and the planting communities in Madras and Bengal, for which special provision has been made. The representation of minor interests and smaller classes will be provided for by nominations made from time to time as the particular needs of the moment and the claims of each community may require.

Representation by nominated members.

6. In the despatch of the 1st October 1908 it was explained that some of the seats there shown as elective might at first have to be filled by nomination, pending the formation of suitable electorates. Further inquiry has shown this course to be unavoidable at present in respect of (1) the representative of Indian Commerce in all Councils except that of the Governor of Bombay; (2) the representatives of the landholders and the Muhammadan community of the Punjab on the Governor General's Council; and (3) the representative of the planting community on the Bengal Council. The Regulations, however, provide that a member must be nominated to represent each of these interests; and it is the intention of the Governor General in Council to substitute election for nomination wherever a workable electorate can be formed.

7. It will be seen that the Regulations have been divided into two parts, first, the substantive Regulations, which deal with all matters of general application, and, secondly, a series of separate Schedules defining the constitution of each electorate and prescribing the electoral procedure to be adopted in each case. Scope and form of Regulations.

8. The qualifications required for both candidates and voters are specified in the Schedules, but the disqualifications, which apply generally, are given in the Regulations. The only voters disqualified are females, minors, and persons of unsound mind, but for candidates wider restrictions are obviously necessary and these are set forth under nine heads in Regulation IV. The last of these provides that no person shall be eligible for election if he has been declared by the Government of India or the local Government to be of such reputation and antecedents that his election would, in the opinion of the Government, be contrary to the public interest. The Act of 1892 laid down that an elected candidate must be nominated by the head of the Government before he could take his seat on the Council. It thus gave power to exclude a candidate whose presence would bring discredit upon the Council, and although this power was never exercised, yet it served a useful purpose in deterring such persons from coming forward for election. If the dignity and representative character of the Legislative Councils are to be maintained, there must be some means of excluding unworthy candidatures, though recourse to it would be of rare occurrence, and the disqualification imposed would not necessarily be permanent. Disqualifications of Voters and Candidates.

9. In accordance with the practice of the House of Commons and of other British legislatures, members of the enlarged Councils must, before taking their seats, make an oath or affirmation of allegiance to the Crown. Oath of office.

10. If a candidate is elected for more than one electorate he is required by Regulation IX to choose for which electorate he will sit. The votes recorded for him in any electorate for which he decides not to sit will be deemed not to have been given, and the seat will go to the candidate who would have been elected but for such votes. This is in accordance with the procedure prescribed for ward elections in the city of Bombay, and it has the advantage of rendering a fresh election unnecessary. Double elections.

11. The normal term of office has been extended from two to three years, but a member elected to fill a casual vacancy will sit only for the unexpired portion of the out-going member's term. This provision is necessary to meet the case of electorates which elect by rotation. To deprive such a constituency of its representation for what might be a considerable portion of the term allotted to it would be unfair; while to allow the constituency of the out-going member (who might have sat for nearly the full term) to elect another member for a further period of three years would be open to still greater objections. The provision is also required to secure the retention of the advantages of cumulative voting in two-member constituencies. Term of office.

12. It has been expressly laid down that corrupt practices shall render an election invalid. There is no such provision in the existing Regulations, but the great extension of the principle of election and the probability of keen contests render it desirable to provide safeguards against the employment of improper practices. The definition of "corrupt practices" is taken from the Bombay District Municipalities Act. It covers false personation on the part of a voter and the use of threats of injury, as well as the actual purchase of votes by the candidate or his agent. Corrupt practices.

13. Any person who is qualified as a voter or a candidate may question the validity of an election and apply to the Government of India or the local Government, as the case may be, to set it aside. After such inquiry as may be necessary the Government may declare whether the candidate whose election is questioned was duly elected; or whether any, and if so, what other person was duly elected; or whether the election was void (Regulation XVI). An election will not, however, be set aside on the ground of minor irregularities which do not affect the result (Regulation XV). Objection to validity of election.

The electorates.

14. In most cases the electorates are sufficiently defined in the Regulations; where more detailed information is necessary, this has been given in the Schedules prescribing the electoral procedure. Where the electorates are scattered, as is the case with the landholders and the Muhammadans, provision has been made for the preparation and publication of an electoral roll containing the names of all persons qualified to vote. After the first election this roll will be brought under revision from time to time, when claims and objections will be decided; but the roll actually in force at the time of any election will be conclusive evidence on the question whether any person has the right to vote. The Governor-General in Council regrets that it has not been possible to allow claims to be made or objections to be taken in respect of the first roll. The qualifications upon which each roll is based could not be announced until the Regulations had received the approval of the Secretary of State, and no revision of the roll could be undertaken until the new Act had been brought into operation. At least two months would have to be devoted to the disposal of claims and objections, and it is probable that even at the end of that period some cases would still be pending. It would thus be impossible to constitute the Provincial Councils before March 1910, and the Governor-General's Council could not assemble before the end of that month or the beginning of April. The consequent loss of the whole of the legislative season would cause so much inconvenience that it would be necessary to defer putting the Act into operation and to postpone the assembling of the new Councils until the session of 1910-11. The Governor-General in Council is sensible of the objections to holding an election on a register which has not been subjected to the test of revision, but he is convinced that those objections are greatly outweighed by the keen disappointment that would be caused by further delay in introducing the constitutional changes which have now been under discussion for more than three years. Moreover, the danger of improper omission or inclusion is comparatively small. The two principal qualifications are payment of land revenue and income-tax, the records of which are detailed and complete, and steps were taken beforehand to ensure, as far as possible, that doubtful cases and claims based on other qualifications should be brought to notice. The Governor-General in Council believes that the great majority of those interested in the question will recognise the difficulties of the situation, and will acquiesce in the decision to prefer the possibility of some small degree of error affecting only a few individuals to the certainty of further prolonged delay in the assembling of the new Councils.

Qualifications of electors.

15. The qualifications prescribed for electors in the cases of the landholders and the Muhammadans vary greatly from province to province. They are in accordance for the most part with the specific recommendations of the local Governments, and these recommendations again were based upon inquiries made by a special officer appointed in each province to ascertain by personal consultation the wishes of the members of the two communities. The Governor-General in Council would have preferred some nearer approach to uniformity; but the principle he has borne in mind is that election by the wishes of the people is the ultimate object to be secured, and he has felt that he must be guided by the advice of the local authorities as to what those wishes are. The status and circumstances both of the landholders and of the Muhammadan community differ widely from province to province, and qualifications which would produce a satisfactory constituency in one case would in another give an electorate insignificant in numbers and deficient in representative character.

Qualifications of candidates.

16. The qualifications for candidates are, as a rule, the same as those prescribed for voters, but in some cases, such as that of candidates for election to the Governor-General's Council by the non-official members of a Provincial Council, any such restriction would be inappropriate. In other instances there has been some difference of treatment in different provinces, but the object in all cases has been to secure that the member shall really represent the electorate.

Modes of election procedure.

17. The different kinds of electoral machinery may be broadly classified under two main heads,—one under which the electors vote direct for the members and the other under which they select delegates by whom the members are elected. A subsidiary distinction in each case is that the electors or delegates either vote at a single centre before a Returning Officer, or vote at different

places before an Attesting Officer, who despatches the voting papers to the Returning Officer. A further distinction in the case of delegates is that in Bengal each delegate has a varying number of votes, the number depending in the case of district boards and municipalities upon the income of those bodies, and in the case of the Muhammadan community upon the strength and importance of the Muhammadan population of a district or group of districts. Elsewhere the same object has been attained by varying the number of delegates on like grounds, each delegate then having only one vote. In the Central Provinces, however, the number of delegates to be elected by each district council and municipal committee has been fixed, not with sole reference to income or population, but with regard to a number of factors, of which those two are perhaps the most important.

Muhammadan Member of the Governor-General's Council.

18. A special case of voting by delegates is that of the election of a member of the Governor-General's Council to represent the Muhammadan community of Bombay. The delegates in this case are not appointed *ad hoc*, but consist of the Muhammadan members of the Provincial Council. This exceptional method has been admitted on the assurance of the Governor in Council that the Muhammadan community of the Presidency as a whole would be better represented by the Muhammadan members of the Provincial Council than by any form of direct electorate that could be devised.

Voting.

19. The procedure for voting is generally similar to that prescribed by the English Ballot Act. In some cases, however, such as the elections by the corporations of the Presidency Towns, the Chambers of Commerce and the Trades Associations, the voting will, as at present, be regulated by the procedure usually adopted by those bodies for the transaction of their ordinary business.

Resolutions and Questions.

20. The rules authorizing the moving and discussion of resolutions, the discussion of the budget, and the asking of questions have been framed in accordance with the decisions on these matters which have already been announced. In the rules relating to the discussion in the Governor-General's Council of matters of general public interest it is provided that no discussion shall be allowed in regard to subjects removed from the cognizance of the Council by the Indian Councils Act of 1861, or matters affecting the foreign relations of His Majesty's Government or the Government of India, or matters which are *sub judice*. The President may also disallow any resolution on the ground that its introduction is opposed to the public interest, or that it should be moved in the Legislative Council of a Local Government. Subject to these necessary restrictions, a resolution may be moved regarding any matter of general public interest and all such resolutions may be fully discussed and put to the vote. The President may assign such time as he may consider reasonable for the discussion of resolutions or of any particular resolution.

The examination of the annual financial proposals in the Governor-General's Council will be divided into three parts. There will first be an opportunity for discussing any alteration in taxation, any new loan, or any grant to local Governments proposed or mentioned in the Financial Statement or the explanatory memorandum accompanying it. In the second stage, each head or group of heads of revenue or expenditure not excluded from discussion will be explained by the Member in charge of the administrative department concerned, and any Member may then move a resolution relating to these subjects. The final stage consists of the presentation of the Budget by the Finance Member, who will explain why any resolutions passed by the Council have not been accepted. A general discussion of the Budget will follow, but at this stage no resolution may be moved.

The rules for the asking of questions are substantially the same as those hitherto in force, with the important exception that they permit a member who has asked a question to put a supplementary question.

In respect of these matters each provincial Council is governed by rules of its own, which in essentials differ but little from those of the Governor-General's Council. One distinguishing feature, however, is that the local Financial Statement is first examined by a Committee of the Council consisting of twelve members, of whom six will be nominated by the head of the Government and six elected by the non-official members of the Council.

Amendment of Regulations.

21. The Governor-General in Council is conscious that many of the details of the scheme which is being introduced may be found on trial to be unsatisfactory or capable of improvement. Experience alone can show how far methods which are new to India give to the different classes and interests a measure of representation proportionate to their importance and influence, and to what extent an untried electoral machinery is suitable to the varying circumstances of the different provinces and the numerous electorates. Defects will no doubt be discovered when the rules are put into operation, but, if this proves to be the case, the law admits of the regulations being amended without difficulty.

22. Under the arrangements that have been made the new provincial Councils will assemble at the beginning of January 1910 and the Council of the Governor-General in the course of that month. It is a source of great satisfaction, both to the Viceroy personally and to the Members of his Council, that the deliberations which have extended over the greater part of Lord Minto's Viceroyalty should have achieved their purpose before he lays down the office of Governor-General. The constitutional changes that have been effected are of no small magnitude. The Councils have been greatly enlarged; the maximum strength was 126: it is now 370. All classes and interests of major importance will in future have their own representatives. In the place of 39 elected members there will now be 135; and while the electorates of the old Councils had only the right to recommend the candidate of their choice for appointment by the head of the Government, an elected member of the new Councils will sit as of right, and will need no official confirmation. Under the Regulations of 1892 officials were everywhere in a majority; the Regulations just issued establish a non-official majority in every provincial Council. Nor has reform been confined to the constitution of the Councils: their functions also have been greatly enlarged. A member can now demand that the formal answer to a question shall be supplemented by further information. Discussion will no longer be confined to legislative business and a discursive and ineffectual debate on the budget, but will be allowed in respect of all matters of general public interest. Members will in future take a real and active part in shaping the financial proposals for the year; and as regards not only financial matters but all questions of administration they will have liberal opportunities of criticism and discussion and of initiating advice and suggestions in the form of definite resolutions. The Governor-General in Council feels that these momentous changes constitute a generous fulfilment of the gracious intention, foreshadowed in the King-Emperor's Message, to entrust to the leaders of the Indian peoples a greater share in legislation and government, and he looks forward with confidence to these extensive powers being loyally and wisely used by them, in association with the holders of executive authority, to promote the prosperity and contentment of all classes of the inhabitants of this great country.

ORDER—Ordered that a copy of this Resolution (with appended statement) be forwarded to *Local Governments and Administrations and to the other †Departments of the Government of India for information, and that it be published in the *Gazette of India*.

* Madras.
Bombay.
Bengal.
United Provinces.
Eastern Bengal and Assam.
Punjab.
Burma.
Central Provinces.
Coorg.
North-West Frontier Province.
†*Department of Revenue and Agriculture.*
Foreign Department.
Finance Department.
Finance (Military Finance) Department.
Public Works Department.
Army Department.
Department of Commerce and Industry.
Legislative Department.
Railway Department.

H. A. STUART,
Secretary to the Government of India.

Constitution of the Legislative Councils.

Constitution of existing Legislative Councils.		Constitution of Councils as proposed in the Government of India's despatch of 1st October 1908.		Constitution of Councils as approved by the Secretary of State in Council.	
IMPERIAL LEGISLATIVE COUNCIL.		IMPERIAL LEGISLATIVE COUNCIL.		IMPERIAL LEGISLATIVE COUNCIL.	
Ex-officio.		*Ex-officio.*			
The Lieutenant-Governor of Bengal (or of the Punjab when the Council assembles in Simla), the Commander-in-Chief and the members of the Executive Council	7	The Lieutenant-Governor of Bengal (or of the Punjab when the Council assembles in Simla), the Commander-in-Chief and the members of the Executive Council	8	A.—*Ex-officio* members . .	7
Additional.		*Additional.*		B.—Officials representing provinces .	8
A.—Nominated members; not more than 9 to be officials; the non-officials to be nominated with reference to legislative business or to represent interests	11	A.—Officials representing provinces	8	C.—Nominated members; not more than 20 to be officials, while 3 must represent respectively the landholders of the Punjab, the Muhammadans of the Punjab, and Indian commerce	27
B.—Elected Members	5	B.—Nominated members; not more than 15 to be officials; the non-officials to be representatives of minorities or special interests, or experts . .	18	D.—Elected members . . .	25
(*a*) by the Legislative Councils of Madras, Bombay, Bengal and the United Provinces	4	*C—Elected members	28	(i) By the Provincial Legislative Councils and the Central Provinces . .	12
(*b*) by the Calcutta Chamber of Commerce	1	†(*a*) by the Provincial Legislative Councils and by the Advisory Council of the Central Provinces	12	(ii) By the landholders of Madras, Bombay, Bengal, Eastern Bengal and Assam, the United Provinces and the Central Provinces .	6
Total .	3	(*b*) by the landholders of Madras, Bombay, Bengal, Eastern Bengal and Assam, the United Provinces, the Punjab and the Central Provinces	7	(iii) By the Muhammadans of Madras, Bombay, Bengal, Eastern Bengal and Assam and the United Provinces . . .	5
or, including His Excellency the Viceroy	24	by Muhammadans of Bengal, Eastern Bengal and Assam, the United Provinces, the Punjab and (alternately) Madras and Bombay	5	(iv) By the Chambers of Commerce, Calcutta and Bombay . . .	2
		(*d*) by Chambers of Commerce of Calcutta and Bombay	2	TOTAL .	67
		‡(*e*) by representatives of Indian commerce . .	2	or, including His Excellency the Viceroy	68
		Total	62		
		or, including His Excellency the Viceroy	63		

* Some of these may at first have to be nominated, pending the formation of suitable electorates but the intention is that all should eventually be elected, so far as may be practicable.

† Legislative Councils of Madras 2, Bombay 2, Bengal 2, United Provinces 2, Punjab 1, Burma 1, Eastern Bengal and Assam 1, and Provincial Advisory Council of Central Provinces 1.

‡ To be nominated by the Governor-General in consultation with local Governments until a method of election can be devised.

Constitution of existing Legislative Councils.		Constitution of Councils as proposed in the Government of India's despatch of 1st October 1908.		Constitution of Councils as approved by the Secretary of State in Council.	
PROVINCIAL LEGISLATIVE COUNCILS.		**PROVINCIAL LEGISLATIVE COUNCILS.**		**PROVINCIAL LEGISLATIVE COUNCILS.**	
MADRAS.		**MADRAS.**		**MADRAS.**	
Ex-officio.		*Ex-officio.*		*Ex-officio.*	
Members of the Executive Council	2	Members of the Executive Council	2	Members of the Executive Council	2
Advocate-General	1	Advocate-General	1	Advocate-General	1
Additional.		*Additional.*		*Additional.*	
A.—Nominated members; not more than 9 to be officials; the non-officials to represent different classes, one ordinarily to be a zamindar paying not less than Rs. 20,000 *peshkash* annually	13	A.—Nominated members; not more than 20 to be officials, the non-officials to be representatives of special interests or minorities, or experts	24	A.—Nominated members; not more that 16 to be officials and one to be a representative of Indian commerce	23
B.—Elected members	7	B.—Elected members	19	B.—Nominated experts, who may be either officials or non-officials	
(*a*) by Corporation of Madras 1		(*a*) by Corporation of Madras 1		C.—Elected bers	19
(*b*) by Municipalities and District Boards 4		*(*b*) by Municipalities and District Boards 8		(*a*) By Corporation of Madras 1	
(*c*) by the University 1		(*c*) by the University 1		By Municipali ies and District and Taluk boards 8	
(*d*) by the Chamber of Commerce, or other commercial bodies 1		†(*d*) by landholders 4		(*c*) By the University 1	
		(*e*) by the planting community 1		) By the landholders 4	
		‡(*f*) by Muhammadans 2		(*e*) By the planting community 1	
		(*g*) by the Chamber of Commerce 1		(*f*) By Muhammadans 2	
		(*h*) by the Indian commercial community 1		(*g*) By the Madras Chamber of Commerce 1	
				(*h*) By the Madras Trades Association 1	
Total	23	Total	46	Total	47
or, including the Governor	24	or, including the Governor	47	or, including the Governor	48

* Voting together in eight groups of about three districts each.
† Voting in four groups of about six districts each.
‡ Elected or nominated as may be found practicable.

BOMBAY.

Ex-officio.

Members of the Executive Council	2
Advocate-General	1

Additional.

A.—Nominated members, not more than 9 to be officials; the non-officials to represent different classes of the community		12
B.—Elected members		8
(*a*) by Corporation of Bombay	1	
(*b*) by Municipalities*	1	
(*c*) by District Boards	2	
(*d*) by Bombay University	1	
(*e*) by Sardars of the Deccan and Zamindars of Sind	2	
(*f*) by Bombay Chamber of Commerce, or other commercial bodies	1	
Total		23
or, including the Governor		24

*Voting by electoral representatives on a population scale.

BOMBAY.

Ex-officio.

Members of Executive Council	2
Advocate-General	1

Additional.

A.—Nominated members; not more than 20 to be officials; the non-officials to be representatives of special interests or minorities, or experts		23
B.—Elected members		20
(*a*) by Corporation of Bombay	1	
(*b*) by Municipalities	4	
(*c*) by District Boards	4	
(*d*) by the University	1	
(*e*) by landholders	3	
(*f*) by Muhammadans	3	
(*g*) by Bombay Chamber of Commerce	1	
(*h*) by Karachi Chamber of Commerce	1	
(*i*) by Millowners' Associations of Bombay and Ahmedabad alternately	1	
(*j*) by Indian commercial community	1	
Total		46
or, including the Governor		47

BOMBAY.

Ex-officio.

Members of Executive Council	2
Advocate-General	1

Additional.

A.—Nominated members not more than 14 to be officials		21
B.—Nominated experts, who may be either officials or non-officials		2
C.—Elected members		21
(*a*) By Corporation of Bombay	1	
(*b*) By Municipalities	4	
(*c*) By District Boards	4	
(*d*) By the University	1	
(*e*) By the landholders	3	
(*f*) By Muhammadans	4	
(*g*) By the Bombay Chamber of Commerce	1	
(*h*) By the Karachi Chamber of Commerce	1	
(*i*) By the Millowners' Associations of Bombay and Ahmedabad	1	
(*j*) By the Indian commercial community	1	
Total		47
or, including the Governor		48

Constitution of existing Legislative Councils.		Constitution of Councils as proposed in the Government of India's despatch of 1st October 1908.		Constitution of Councils as approved by the Secretary of State in Council.	
BENGAL.		**BENGAL.**		**BENGAL.**	
A.—Nominated members; not more than 10 to be officials; the non-officials to represent different classes of the community	18	A.—Nominated members; not more than 23 to be officials; the non-officials to be representatives of special interests or minorities, or experts	26	A.—Nominated members; not more than 17 to be officials and one to be a representative of the planting community and one of Indian commerce	22
B.—Elected members	7	B.—Elected members	20	B.—Nominated experts, who may be either officials or non-officials	2
(*a*) by Corporation of Calcutta	1	(*a*) by Corporation of Calcutta	1	C.—Elected members	26
(*b*) by Municipalities (by rotation)	1	(*b*) by Municipalities	4	(i) By the Corporation of Calcutta	1
(*c*) by District Boards (by rotation)	2	(*c*) by District Boards	4	(ii) By Municipalities	5
(*d*) by the University	1	(*d*) by the University	1	(iii) By District Boards	6
(*e*) by the Landholders' Association	1	(*e*) by landholders	4	(iv) By the University	1
(*f*) by the Chamber of Commerce or other commercial bodies	1	(*f*) by the planting community	1	(v) By the landholders	5
		(*g*) by Muhammadans	2	(vi) By Muhammadans	4
Total	20	(*h*) by the Chamber of Commerce	1	(vii) By the Bengal Chamber of Commerce	2
or, including the Lieutenant-Governor	21	(*i*) by the Calcutta Trades Association	1	(viii) By the Calcutta Trades Association	1
		(*j*) by the Indian commercial community	1	Total	50
		Total	46	or, including the Lieutenant-Governor	51
		or, including the Lieutenant-Governor	47		
UNITED PROVINCES.		**UNITED PROVINCES.**		**UNITED PROVINCES.**	
A.—Nominated members; not more than 7 to be officials; non-officials to represent different classes of the community	9	A.—Nominated members; not more than 23 to be officials; the non-officials to be representatives of special interests or minorities; or experts	27	A.—Nominated members; not more than 20 to be officials and one to be a representative of Indian commerce	26
B.—Elected members	6	B.—Elected members	19	B.—Nominated experts, who may be either officials or non-officials	2
(*a*) by groups of Municipalities	2	(*a*) by the large municipalities	2	C.—Elected members	20
				(*a*) By large municipalities in rotation	4
				(*b*) By the District Boards and smaller municipalities	8

(*b*) by groups of District Boards . .	2
by University of Allahabad . .	1
(*d*) by Upper India Chamber of Commerce or other commercial bodies .	1
Total .	15
or, including the Lieutenant-Governor .	16

EASTERN BENGAL AND ASSAM.

A.—Nominated members; not more than 7 to be officials; the non-officials to represent different classes of the community	9
B.—Elected members	6
(*a*) by Municipalities and District Boards .	3
(*b*) by Associations of landholders . .	1
(*c*) by Associations of merchants . .	1
(*d*) by Commissioners of Port of Chittagong	1
Total .	15
or, including the Lieutenant-Governor . .	16

(*b*) by District Boards and smaller Municipalities .	8
(*c*) byAllahabad University	1
(*d*) by landholders	2
(*e*) by Muhammadans	4
(*f*) by Upper India Chamber of Commerce .	1
(*g*) by the Indian commercial community . .	1
Total	46
or, including the Lieutenant-Governor	47

EASTERN BENGAL AND ASSAM.

A.—Nominated members; not more than 18 to be officials; the non-officials to be representatives of special interests or minorities, or experts	21
B.—Elected members	15
*(*a*) by Municipalities and District and Local Boards .	8
(*b*) by landholders	2
(*c*) by Muhammadans	2
(*d*) by the tea interest	1
(*e*) by the jute interest	1
(*f*) by Commissioners of Port of Chittagong .	1
Total	36
or, including the Lieutenant-Governor	37

* Voting together by divisions, *viz.*, Dacca 2, Chittagong ajshahi 2, Brahmaputra valley 1, Surma valley 1.

(*c*) ByAllahabad University .	1
(*d*) By the landholders . .	2
(*e*) By Muhammadans . .	4
(*f*) By the Upper India Chamber of Commerce .	1
Total	48
or, including the Lieutenant-Governor	49

EASTERN BENGAL AND ASSAM.

A.—Nominated members; not more than 17 to be officials and one to be a representative of Indian commerce	22
B.—Nominated experts, who may be either officials or non-officials	2
C.—Elected members . .	18
(*a*) By municipalities . .	3
(*b*) By district and local boards	5
(*c*) By the landholders . .	2
(*d*) By Muhammadans . .	4
(*e*) By the tea interest . .	2
(*f*) By the jute interest . .	1
(*g*) By the Commissioners of the *Port of Chittagong* .	1
Total	42
or, including the Lieutenant-Governor	

Constitution of existing Legislative Councils.		Constitution of Councils as proposed in the Government of India's despatch of 1st October 1908.		Constitution of Councils as approved by the Secretary of State in Council.	
PUNJAB.		**PUNJAB.**		**PUNJAB.**	
A.—Nominated members:—		A.—Nominated members; not more than 12 to be officials; the non-officials to represent Muhammadans, Hindus, Sikhs and other interests	19	A.—Nominated members; not more than 10 to be officials	19
Officials	4	B.—Elected members	5	B.—Nominated experts, who may be either officials or non-officials	2
Non-officials	5	(*a*) by the commercial community	1	C.—Elected members	5
Total	9	(*b*) by the Punjab University	1	(*a*) By the Punjab Chamber of Commerce	1
or, including the Lieutenant-Governor	10	(*c*) by the larger cities	3	(*b*) By the Punjab University	1
		Total	24	(*c*) By Municipal and Cantonment Committees	3
		or, including the Lieutenant-Governor		Total	26
				or, including the Lieutenant-Governor	27
BURMA.		**BURMA.**		**BURMA.**	
A.—Nominated members:—		A.—Nominated officials	8	A.—Nominated officials	6
Officials	5	B.—Nominated non-officials	7	B.—Nominated non-officials	8
Non-officials	4	(*a*) to represent Burmese population	4	(*a*) To represent the Burmese population	4
Total	9	(*b*) to represent Indian and Chinese commercial communities	2	(*b*) To represent the Indian and Chinese communities	2
or, including the Lieutenant-Governor	10	(*c*) to represent other interests	1	(*c*) To represent other interests	2
		C.—Elected by Burma Chamber of Commerce	1	C.—Nominated experts, who may be either officials or non-officials	2
		Total	16	D.—Elected by the Burma Chamber of Commerce	1
		or, including the Lieutenant-Governor	17	Total	17
				or, including the Lieutenant-Governor	18

No. XII.—Legislative Council of the Lieutenant-Governor of Bengal.

(*Vide also* **No. V.**)

The Gazette of India.

EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

CALCUTTA, WEDNESDAY, NOVEMBER 24, 1909.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Calcutta, the 24th November 1909.

No. 26.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor-General in Council has, with the approval of the Secretary of State for India in Council, made the following amendments in the Regulations for the nomination and election of Members of the Legislative Council of the Lieutenant-Governor of Bengal, namely :—

1. In Schedule III to the said Regulations.

In rule 5, sub-rule (1), between the words " if he is " and " a Commissioner " the words " or has for any period aggregating three years been " shall be inserted :

2. In Schedule IV to the said Regulations,

In rule 5, sub-rule (1), between the words " if he is " and " a member " the words " or has for any period aggregating three years been " shall be inserted.

J. M. MACPHERSON,
Secretary to the Government of India.

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